English Translations of

Majmoo'al-Fatawa of Permanent Committee for Scholarly Research and *ifta*' of K.S.A

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Book of Sales

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Sale Contract

The first and second questions of Fatwa no. 11170

Q1 and 2: I own a car showroom and I deal in used cars. Some people trade in used cars and I buy used cars. Sometimes, when concluding a contract, we write the name of the seller and all the related information and he signs the contract but we leave the name of the buyer unsigned for a long time till a buyer comes to purchase the car. Then, we write his name in the space of the buyer. Is this practice permissible? Is the contract valid? The reason why we do this is that if we buy a car, it stays in the showroom till a buyer comes to purchase it. Then, when a buyer purchases it, we conclude a contract with his name on it. Another reason is if I sign the contract as the first purchaser, I will have to pay money to transfer the possession of the car to the second purchaser.

I have many cars which I sell through installments for people who want to buy them. After the buyer purchases the car from me, they sell it without transferring its possession to themselves. Is this permissible - as I mentioned above? I appreciate your Fatwa. May Allah reward you best!

A 1 and 2: It is obligatory to mention both parties; the seller

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and the purchaser in the contract of sale to confirm the legal commitment. However, mentioning one party upon concluding the contract and leaving the other party's name unsigned till the car is sold to a second buyer may be harmful. Therefore, it is not permissible to do so.

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What are the principles of the Islamic economy?

The sixth question of Fatwa no. 17627

Q 6: what are the principles of the Islamic economy?

A: The Islamic economy depends on Shar`y (Islamically lawful) trade through investing money in ways that Allah (Exalted be He) made Halal (Lawful) according to the regulations of Shar`y dealings and transactions. This is based on the basic principle of permissibility as far as transactions are concerned, and abstaining from all that Allah (Exalted be He) prohibited, such as Riba (usury/interest). Allah (Exalted be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ and He (Exalted be He) said: ﴾Then when the (Jumu'ah) Salât (prayer) is ended, you may disperse through the land, and seek the Bounty of Allâh (by working, etc.), and remember Allâh much: that you may be successful.﴿

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The first question of Fatwa no. 19637

Q 1: Is it permissible to make oaths while buying and selling if one is truthful?

A: Making oaths in buying and selling is Makruh (reprehensible) in general, whether one is truthful or not. If a person lies in his oath then it is makruh in the sense of being haram (forbidden); the sin is greater and the punishment is more severe because it is a false oath. Even if it is a means of selling the product, it erases the blessings of the sale and profit. This is indicated by the Hadith narrated by Abu Hurayrah (may Allah be pleased with him) who said: I heard the Messenger of Allah (peace be upon him) saying: ﴾An oath may sell the product but erase the blessing.﴿ Related by Al-Bukhari and Muslim in their Sahihs (authentic) Books of Hadith.

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This version was narrated by Al-Bukhari. See Fath Al-Baari, Vol. 4, p.315. It was narrated also on the authority of Abu Dharr (may Allah be pleased with him) that the Prophet (peace be upon him) said: ﴾there are three to whom Allah will neither speak on the Day of Resurrection nor will look at them nor purify them (of their sins), and they will be severely tormented. When he repeated this (statement) thrice, Abu Dharr (May Allah be pleased with him) said: Abu Dharr said: They are doomed and destroyed! (But) who are they, O Messenger of Allah (peace be upon him)?' He said: One whose lower garment trails, one who boasts of kindness shown to another; and one who promotes sale of his business by making false oaths.﴿ Related by Muslim in his Sahih, Vol.1, p.102. A similar report was narrated by Imam Ahmad in his Musnad.

However, if the oath in buying and selling is truthful, then it is makruh in the sense of being discouraged, for it means that he is promoting his product and encouraging the buyer to buy it by means of swearing an oath repeatedly while Allah (Exalted be He) says: ﴾Verily, those who purchase a small gain at the cost of Allâh's Covenant and their oaths, they shall have no portion in the Hereafter (Paradise). Neither will Allâh speak to them, nor look at them on the Day of Resurrection, nor will He purify them, and they shall have a painful torment.﴿ Due to the general meaning of the saying of Allah (Exalted be He): ﴾And protect your oaths (i.e. do not swear much).﴿ and: ﴾And make not Allâh's (Name) an excuse in your oaths against your doing good and acting piously﴿

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also because of the general meaning of the Hadith narrated by Abu Qatadah Al-Ansary Al-Sulamy who said that he heard the Messenger of Allah (peace be upon him) saying: ﴾Beware of swearing too much when selling, for it sells (the product) then it erases (the blessing).﴿ Related by Muslim in his Sahih, Ahmad in his Musnad, Al-Nisa'iy, Ibn Majah and Abu Dawud.

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The twenty seventh question of Fatwa no. 19637

Q 27: A person says: "This item costs me such and such," when in fact it costs him less. He only says this because he wants to increase his profits. There are some people who swear by Allah that this is the price they paid. What is the ruling on that?

A: If a person buys a product and offers it for sale, and says, "It costs me such and such" but he is lying; saying that he paid more for it than he really did, then he is doing something that is Haram (prohibited) and he is definitely committing a sin. He risks losing the barakah (blessing)

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of his sale. If he swears by Allah (Exalted be He) to that effect, then his sin is even greater and the punishment will be even more severe. He is included in the warning mentioned in the Hadith narrated by Muslim in his Sahih on the authority of Abu Dhar (may Allah be pleased with him) from the Prophet (peace be upon him) that he said: ("Three persons whom Allah shall neither look at on the Day of Resurrection, nor purify, and they shall have a painful torment." We said "Who are they, O Messenger of Allah? For they have failed and lost." He said, "He who reminds (the people) of what he gives; he who lets his izar (lower garment) hang below his heels (out of pride); and he who sells his merchandise by false swearing.") Al-Tirmidhy said, this is a Hasan (good) sahih Hadith. According to another narration, "by evil oaths." In addition, what is narrated by Al-Bukhari, Muslim, and others that Abu Hurayrah (May Allah be pleased with him) said: " I heard the Messenger of Allah (peace be upon him) say: ('Swearing an oath may sell a product but it destroys the barakah.')

Likewise, it is narrated by Al-Bukhari in his Sahih (vol. 4, p. 316) on the authority of `Abdullah ibn Abu Awfa (may Allah be pleased with him) that a man offered him an item for sale in the market and he swore falsely by Allah that someone else had already made him an offer. He did so in order to get a Muslim to buy it. Then, the Ayah (Qur'anic verse) was revealed: (Verily, those who purchase a small gain at the cost of Allâh's Covenant and their oaths, they shall have no portion in the Hereafter (Paradise). Neither will Allâh speak to them, nor look at them on the Day of Resurrection, nor will He purify them, and they shall have a painful torment.)

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Moreover, it is narrated by Al-Bukhari and Muslim in their Sahihs on the authority of Abu Hurayrah (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: ("Three persons whom Allah shall neither speak to, nor look at, or purify, and they shall have a painful torment: a man who has spare water on a way but he withholds it from the wayfarer. A man who swears allegiance to a man, only swearing allegiance to him for the sake of a worldly gain; if he gives him what he wants, he fulfills his obligation towards him, otherwise he does not fulfill it. And a man who bargains with another man over a commodity after the 'Asr (Afternoon Prayer) and makes an oath by Allah (falsely) that he has been offered such-and-such price for it and he (the buyer believes him and) buys it.")

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Hadith of entering markets

First question of Fatwa no. 16103

Q 1: I heard from some brothers that the Hadith which is narrated regarding entering markets is Da`if (a Hadith that fails to reach the status of Hasan, due to a weakness in the chain of narration or one of the narrators); is this correct?

A: Yes, the Hadith of entering markets is Da`if and its wording is: On the authority of `Umar ibn Al-Khattab (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: (Whoever enters a market and says: 'La Ilaha Illa Allah, Wahdahu La Sharika lah, Lah-ul-Mulku Wa Lah-ul-Hamd, Yuhyi Wa Yumit, Wa Huwa Hayyun La Yamut, Biyadihi-l-Khayr, Wa Huwa `Ala Kulli Shay'in Qadir' i.e. 'There is nothing worthy of worship except Allah, alone without partner, to Him belongs dominion and praise, He causes life and death and He is the Living and does not die. In His Hand is all good, and He is All-Powerful over all things', Allah will write for them a million good deeds and erase a million bad deeds and raise them a million levels.") which can not be authentically reported to the Prophet (peace be upon him). (Related by Al-Hakim in his book Al-Mustadrak and some other Hadith compilers). However, a group of Hafizhs (scholars who are well-versed in Hadith and its sciences) like Ibn Al-Qayyim as narrated from him by Al-`Ajluny in his book Kashf Al-Khafa' said that the Hadith in question is Ma`lul (a Hadith that appears to be sound, but thorough research reveals a disparaging factor in the chain of narrators or the text). This is because its Sanad (chain of narrators) contains `Amr ibn Dinar the Mawla (freed slave) of the family of Al-Zubayr who is a Da`if (weak) narrator. Moreover, the Matn (text) of the Hadith is unacceptable by Islamic law and Muslims of sound intellect.

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The third question of Fatwa no. 18623

Q 3: I read a Hadith that explains the great reward for a Muslim who says the Du`a` (Supplication) of the Souq (market) before entering it. Is this applicable to the market which is set up for a week then ends, or the group of permanent shops which collectively forms a large market? I hope that you give me a Shar`y (Islamically lawful) definition of the word "Souq".

A: Souq (plural Aswaq) is literally a place where there is public gathering held for buying and selling merchandise and goods are offered for sale. It could be referred to as either a feminine or masculine word." People made tasawuk, if they sell or buy items. It is called souq "meaning, drive, bring about, and so on, for the merchandize are brought to it and offered for sale. Allah (Exalted be He) says in His Book: ﴾but verily, they ate food and walked in the markets.﴿

the Du`a` on entering the market is narrated on the authority of `Amr ibn Dinar the Mawla (freed slave) of the family of Al-Zubayr from Salim ibn `Abdullah ibn `Umar from his father from his father that the Messenger of Allah (peace be upon him) said: ﴾"Whoever enters a market and says: 'There is nothing worthy of worship except Allah, alone without partner, to Him belongs dominion and praise. He causes life and death and He is the Living and does not die. In His Hand is all the good, and He is All-Powerful over all things', Allah (may He be Exalted) will write for him or her a million good deeds, erase a million bad deeds and build a house for him in Paradise".﴿

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This Hadith is Da`if (weak). It was narrated by Al-Hakim in Al-Mustadrak and other books. Some scholars of Hadith considered it to be Da`if, including Ibn Al-Qayyim. It was also narrated from him by Al-`Ajluny in Kashf Al-Khafa'. It is considered to be Da`if because its Sanad (chain of narrators) has `Amr ibn Dinar, the Mawla of the family of Al-Zubayr, and he is a Da`if narrator. Moreover, its matn (text of a Hadith) is somehow unacceptable.

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selling an object to one's children

The first question of Fatwa no. 4153

Q 1: Is it permissible for a man to sell some of his property to his children, given that some of them can afford it while others are penniless and cannot afford anything?

A: It is permissible for a man to sell some of his property to his children if they can afford it. He should deal with them as if they are strangers, and not prefer any of them over the others.

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Woman as a trader

The fifth question of Fatwa no. 2761

Q 5: what is the ruling on a woman who works as a trader in her country or abroad?

A: The basic principle is that it is permissible for men and women to trade and make money while traveling or while inside their country because of the general meaning of the saying of Allah (Glorified be He): ﴿whereas Allâh has permitted trading and forbidden Ribâ (usury).﴾ ﴿When the Prophet (peace be upon him) was asked what type of earnings is the best, he answered: The work done by a man's own hand, and every good sale.﴾ Moreover, it was authentically established that women in the very beginning of Islam used to buy and sell in a modest manner while avoiding showing their adornment. However, if the woman's work as a trader leads her to commit forbidden acts such as displaying her charms, then it is impermissible for her to take part in this work.

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Among the acts that are prohibited by Allah (Exalted be He) are showing her adornments including uncovering her face, traveling without a Mahram (spouse or unmarriageable relative), or mixing with Ajanib (men lawful for the woman to marry) in a way that causes Fitnah (temptation). In such a case, it is obligatory to prevent her from this work which is regarded as Mubah (permissible), but involves Haram (forbidden).

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Fatwa no. 3880

Q: My wife wants to engage in trade in the market which is held on Thursday while wearing modest clothes. She asked me to write to Shaykh Ibn Baz to ask him whether she could engage in trade every Thursday or not. Please advise, may Allah protect Your Eminence.

A: It is permissible for her to go to the market to buy and sell if she has to, provided that she wears modest clothes that covers all her body, and she does not mix with men in a suspicious way. If she does not have to do this, it is better for her not to do it.

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buying from non-Muslims when Muslim traders are present

The third question of Fatwa no. 3323

Q 3: What is the ruling on Muslims who abandon cooperation with one another by their dislike of buying from Muslim traders and preferring instead the stores owned by Kafirs (disbelievers), is this Halal (lawful) or Haram (prohibited)?

A: The basic principle is that it is permissible for Muslims to buy whatever they need of the things that Allah has permitted whether from a Muslim or a Kafir. The Prophet (peace be upon him) bought from the Jews. But if a Muslim refrains from buying from fellow Muslims for no good reason - such as due to cheating, high prices, or having low quality products - and they would rather buy from a Kafir, and they prefer them, with no reason, this is Haram, because it implies their aligning themselves with the Kafirs, approving of them and liking them. On the other hand, they will be causing losses to Muslim traders, a recession in their trade, and non-marketability of their products if Muslims take that as a habit. But if there are reasons behind refraining to buy, such as those mentioned previously, then they should advise their Muslim trading brothers to remedy these faults that cause them to turn away from dealing with them. If they accept the advice, Al-Hamdu li-Allah (All praise be to Allah), otherwise it is permissible to turn to other traders, even if they are Kafirs, as long as they exchange benefits properly and are honest in their transactions.

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Fatwa No. (5120)

Q: To proceed, the Ummah Magazine issued in Doha (Qatar) in its issue of the month of Sha`ban 1402 A.H. (June 1982) published a fatwa on financial transactions held in foreign countries and in Dar-ul-Harb (non-believers country) stating: "Imam Abu Hanifah is of the view that it is permissible to deal in usurious transactions with non-Muslims in Dar-ul-Harb and that all contracts and transactions bringing benefit to Muslims is valid so long as they are based on mutual consent and contains no cheating or infidelity." In fact, if the fatwa is sound, it will be beneficial to some Muslims residing in France. This is because monetary dues and loans we receive from the Muslim World League in Makkah as well as gifts we receive from Islamic Solidarity Fund and from some Muslim countries remain in banks for a month before they can be drawn. Thus, it is only the bank we deal with who makes use of accumulated interests. If the fatwa is sound, we can make use of such interests in Darul-Harb which we may at least give to the poor and the needy and to no one else. Allah is the Knower of intentions.

A: First: contracts of financial transactions and exchanging benefits between us and disbelievers are valid so long as they meet Islamic contract requirements. **Second:**

Dealing in usurious Muslim-to-Muslim or Muslim-to-disbeliever transactions is absolutely prohibited be they disbelievers, Harbis (inhabitants of Darul-Harb) or non-Harbis.

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The third question of Fatwa No. (15901)

Q 3: Is it permissible for a Muslim to sell pants and underwear to non-Muslim women?

A: A Muslim may sell clothing to both male and female disbelievers provided that it is modest, does not have images of crosses and is not made of silk if for men. This is because the basic principle regarding sale transactions is permissibility, unless there is evidence of impermissibility. This is regardless of whether the purchaser is a Muslim or otherwise.

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Fatwa No. (2051)

Q: there is a merchant who imports spices

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and building materials. He does not import such consumer goods as rice, corns, sugar, flour or cloth and does not deal at all in religiously prohibited goods.

These commodities are quite profitable. Some items have no profit margin, others have some loss while others make a good profit margin. In addition, there are damaged goods that are not of the least benefit. There are still other goods that sit for four quaters because there is no market for them. However, with the help of Allah, we pay Zakah (obligatory charity) due on goods every year. Moreover, all our sale contracts are based on mutual consent between the seller and the purchaser in cash. We do not use deception or false oaths to market goods, praise be to Allah. Furthermore, the questioner has to pay annually shop expenses of about 30,000 riyals. What is your opinion? Please, I want a detailed answer and fatwa, may Allah reward you! Is my gaining profits as such permissible? Or, is the questioner sinful?

A: If the reality is as you mentioned, your profits are lawfully gained and you are not sinful, In Sha'a-Allah (if Allah wills).

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The first question of Fatwa no. 11473

Q 1: We are an Islamic organization in France.

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We rented a place which we divided into a number of rooms: one for Salah (Prayer), one for educational purposes, one for cooking and one for the residence of the Imam (leader of congregational Prayer).

Is it permissible to sell Islamic books and tapes in the teaching room, given that all the rooms have one entrance? There is no Islamic library in the town which sells such items, and people, especially the youth, are in dire need of these items to learn their religion.

A: It is permissible to buy and sell in the teaching room, because it is not a Masjid (mosque), so it does not take the same ruling as a Masjid.

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what should be done with excess samples taken for the quality assurance of imported goods

Fatwa no. 9782

Q:

First, different samples of cheese, juice, nuts, meat, perfumes, milk and other goods are brought to the laboratory

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in large packets. Some samples are more than the amount needed for quality assurance, such as a juice packet which contains thirty cans, while the sample needed for quality assurance is only five cans. A mineral water package also contains ten bottles, while the sample needed is only five bottles. What is the opinion of Your Eminence on the rest of these samples? Is it permissible for the person who performs the analysis to take them or give them to needy people? These samples can be returned to the Customs. However, most of the traders do not come to ask about them, whether they are cheap or expensive.

Second, there are some samples which are too large, such as a tin of cheese, olives or pickles, which might reach sixteen kilograms, while the sample needed is only 200 grams. What do you think, Your Eminence, of making use of the rest of the sample after the quality assurance? Given that being opened, it is legally forbidden for the wholesaler to buy it, and keeping them in the laboratory or the Customs until they are tested might lead to their expiration. In addition, many traders do not come to ask about the rest of these samples.

Third, some samples, such as meat, cakes and ice cream are brought to the laboratory frozen. After testing them, they are returned to Customs while they are still useable. However, there are no fridges in the Customs to keep these samples fresh, which leads to their expiration due to the delay of the traders in taking them,

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even for a few hours, or not coming at all. What is your opinion on such samples? Can we make use of them instead of sending them to Customs?

Fourth, there are some samples which are extracted from large packets, such as nuts (i.e. pistachio, pine and others). The sample required for analysis is less than the amount which is brought to the laboratory. What is the opinion of Your Eminence on making use of these extra samples? Given that the remaining samples might be neglected in the Customs for one of the previously mentioned reasons, and expire.

Fifth, there are samples that are brought to the laboratory by the municipal council, which are taken from groceries and factories in the kingdom to be tested. The officials who bring the samples never return to ask about the rest of the samples, which leads to

their expiration after they stay in the laboratory.

What is the opinion of Your Eminence on making use of these samples, whether by taking them or giving them to needy people? Please advise, may Allah bless you and reward you.

Note:

1- It is impossible to know in advance the exact volume of the sample needed for analysis, because some of the tests require a big sample while others require a small sample.

2- The traders, the owners of the groceries and the owners of factories from whom the samples are brought are unknown to the person who tests the samples.

A: First, when the officials perform quality assurance tests, they should ask for samples that are sufficient for the test, not more.

Second, in case some of the sample submitted is enough for the test, the rest should be returned to its owner, by taking their address and fixing a date for returning the extra sample, and finding the person responsible for this to be contacted.

Third, if the owners of the sample or their deputies do not come to take it, and it is feared that it might be ruined, it should be sold and its money brought to the national treasury.

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Fatwa no. 13367

Q: Some people entrusted me with deposits and trusts to use in transactions of buying and selling. The monthly installments of cars put under purchase sale are paid to me and the partners allow me to use them for my interest, thus, I buy new cars and sell them for profit.

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When the price of the cars is paid, I give the partners their due capital and the profits that were gained in full without any decrease. If they want me to invest their money for another three years, it would go through the same circle as mentioned above. I would like to know what is lawful and prohibited in this regard? Should I or my partner pay the Zakah (obligatory charity) on such deposits knowing that there is no authorization whatsoever between us?

A: First, it is preferable to invest the installments of those people who entrusted you with their deposits for their benefit, and you are rewarded for your effort to invest money for those who do not know trade transactions. However, if they allowed you to benefit from the installments until the end of the credit, there is nothing wrong with that.

Second, the owners should pay the due Zakah on the entire sums of cars sold on a yearly basis or they may entrust you with paying Zakah on their behalf. Thus, you should give it to those who deserve it. You will be rewarded as long as you do a good job and have a good intention.

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Sale of financial rights

The second question of Fatwa no. 10808

Q 2: is it permissible to sell a financial right; that is for example, a bond or a license for the purchase of building materials from governmental warehouses. A person who owns a license and does not need it, sells it to a trader who in turn offers it for sale to other people for a new price. Is this lawful?

A: It is not permissible to sell a bond or a license of the purchase of building materials for a trader who sells it to other people.

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Kinds of lawful transactions

The third question of Fatwa no. 17881

Q 3: Could you please tell us about ten lawful materials in which one may trade?

A: It is permissible to trade in all materials that are free from unlawful mixtures.

This is based on the saying of Allah (Exalted be He): (whereas Allâh has permitted trading) Anything that contains unlawful materials is also unlawful according to the saying of the Prophet (peace be upon him): (If Allah forbids something (to be consumed), He, with greater reason, forbids its price (selling it).) Some of the lawful things to deal in include the meat of camels, cows, sheep, birds that are lawful to eat, pigeons and chickens if they are slaughtered according to the Shari`ah. Other lawful materials include metal, copper, gold, silver, wood, grains, fruit and clothing. There are certainly more than ten lawful things to deal in. Really, there are much more than that.

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Conditions of Sale

(Part No. 13; Page No. 30)

Condition of mutual consent in sales

Fourth question of Fatwa no. 8859

Q 4: Is it permissible to contract a sale in the absence of mutual consent?

A: It is not permissible to contract a sale in the absence of mutual consent. Allah (Exalted be He) says: ﴾O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent.﴿ An exception to this is when a sale is contracted correctly as in the case of the court selling items which are mortgaged.

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Selling prohibited items

Fatwa no. 8234

Q: My father works in Iraq and he sends us our expenditure along with boxes of razor blades to sell

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and we use the money for our expenses, because this is better as far as banknote exchange is concerned. However, I feel doubtful concerning the permissibility of doing this, as these razor blades are often used to shave beards, and rarely for shaving mustaches and pubic hair. Thus, I feel doubtful, whether it is Halal (Lawful) or Haram (prohibited). Should I sell them or not? What should we do with their value? If my family insists on selling them, so what should I do?

A: It is not Haram if you to sell them and benefit from their price, but they are Haram for the one who intends to use them for a unlawful purpose.

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The first and second questions of Fatwa no. 4947

Q: What is the ruling on selling tobacco (cigarettes) that is sold through permission from a tobacco company?

A: Smoking is forbidden. Moreover, planting and selling tobacco is also prohibited because of the great harm it causes. It was mentioned in the Hadith: ("There should be neither harming nor reciprocating harm.") Moreover, it is one of the filthy things. Allah (Exalted be He) said in describing his Prophet Muhammad (peace be upon him):

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(he allows them as lawful At-Tayyibât (i.e. all good and lawful as regards things, deeds, beliefs, persons, foods), and prohibits them as unlawful Al-Khabâ'ith (i.e. all evil and unlawful as regards things, deeds, beliefs, persons and foods)) Allah (Exalted be He) also says: (They ask you (O Muhammad صلى الله عليه وسلم) what is lawful for them (as food). Say: "Lawful unto you are At-Tayyibât [all kind of Halâl (lawful-good) foods which Allâh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)].)

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Q 2: What is the ruling on whoever trades in women's Haram (prohibited) clothing?

A: The only garments of women that are considered Haram (prohibited) are those that involve likening women to men or disbelieving women and those that contain pictures for beings with souls. Women are permitted to wear all other garments in front of their husbands but it is Haram for them to wear some garments in front of men who are not either their husbands or Mahrams (unmarriageable relatives) such as short clothes which show the legs, and garments that show the hair, neck, face, and so on.

Consequently, if garments are Haram for some women in some cases but Halal (lawful) in others, merchants are permitted to trade in them and women should use them in the Halal way. On the other hand, if garments are Haram for women in all cases; merchants are not permitted to trade in them and women are not allowed to wear them.

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The first question of Fatwa no. 14215

Q 1: I have a store in which I sell perfumes, watches, make-up, creams, hair-dryers and ready-made women's clothing which are long and not tight-fitting. My question now is: Are any of these items haram (forbidden) and should I stop selling them, or can I carry on with my business?

A: There is nothing to indicate that the items you have mentioned are haram. This is so as long as that does not lead to any forbidden actions such as flirting or joking with women and so on.

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Fatwa no. 12660

We have made an offer to the public on the sale of fuel. It is as follows: The person pays 200 Riyals and gets a fuel coupon that is worth 210 Riyals and also gets a free car wash. It should be noted that they have to pay the 200 Riyals in advance

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in order to get the fuel coupons. We hope that your Eminence will explain to us the legal ruling on this offer. Is it lawful? May Allah reward you best!

A: If the reality is as you have mentioned, then it is permissible to sell fuel coupons and a free car wash with the value mentioned. The offer here is for selling an amount of petrol and a free car wash which is stated in the coupon. Therefore, it is not a Gharar sale (uncertain sale), or Riba (usury/interest) or Jahalah sale (sale with lack of knowledge).

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The second question of Fatwa no. 18248

Q 2: My brother trades in sparrows; is this permissible?

A: Selling sparrows is permissible, as they have not been exempted from the general ruling of permissibility of selling.

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Fatwa no. 18688

Q: I have a plantation of palm trees on my farm and their branches grow

with seeds in clusters known by people of the south as "seminal clusters." The cluster contains a farinaceous substance and can fertilize more than 3 palm trees. Is it permissible for me to sell date-palm seminal clusters to people who grow such trees so that they can fertilize their own, knowing that I do not sell the trees themselves; rather, the pollen or raceme of fertilization? Kindly give us your Fatwa on the permissibility of that.

A: There is no impediment to sell the seminal cluster of the palm-trees, because of its benefit. Allah (Exalted be He) said: ﴿whereas Allâh has permitted trading﴾ However, it is forbidden to sell the semen of an animal.

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Fatwa no. 5350

Q: Recently, the phenomenon of selling stuffed animals and birds became widespread. Therefore, we request your Eminence, after reviewing this issue, to provide me with a Fatwa on the ruling of owning stuffed animals and birds. What is the ruling of selling such stuffed animals and birds? Is there a difference between the animals, which are prohibited to own while they are alive and those allowed to be owned after being stuffed? What should one do with regard to this phenomenon?

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A: Owning stuffed birds and animals whether they are prohibited or not to own them alive is a waste of money, extravagance and misuse of money in stuffing such animals and birds. Allah prohibited extravagance and the Prophet (peace and blessings of Allah be upon him) also prohibited the waste of money. Owning such stuffed birds and animals is a means of having pictures of the living creatures. Hanging and setting up such stuffed animals and birds is unlawful, and therefore, it is not lawful to sell them or own them. Furthermore, it is the duty of the Muhtasib (an officer who undertakes the duty of Hisbah i.e. regulation of economic, commercial, and public matters) to explain to people that it is prohibited to own such stuffed animals and birds and he should stop the phenomenon of trading in them in stores.

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Selling dogs

The first question of Fatwa no. 6554

Q: what is the ruling on trading in guard dogs that have special characteristics?

A: It is not permissible to sell dogs, and their price is not halal (lawful), whether they are guard dogs, hunting dogs or any other kind. It was narrated on the authority of Abu Mas`ud `Uqbah ibn `Amr (may Allah be pleased with him) that he said: (The Messenger of Allah (peace be upon him) forbade charging a price for selling a dog, the earnings of a prostitute and the payment offered to a soothsayer.)

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Agreed upon by Imams Al-Bukhari and Muslim.

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Selling monkeys

Fatwa no. 18564

Q: I would like to work in the field of trading in tame animals such as cats and birds. One of these animals is monkeys that are trained and used for the sake of amusement and attracting customers to shops. Moreover, these kinds of animals are used for amusement and attracting customers in order to increase sales. But these animals are very expensive.

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Some people told me that trading in monkeys is prohibited as they are a sign for Allah's wrath and punishment. Moreover, using them for these purposes changes their nature as well as it being a waste of money. I would like you to guide me to the truth in this regard. May Allah reward you well!

A: Selling cats, monkeys, dogs and other beasts with canine teeth is prohibited. The Prophet (peace be upon him) forbade selling them and warned against that. It is also a waste of wealth. The Prophet (peace be upon him) also forbade that.

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Fatwa no. 18807

Q: I would like to ask your Eminence about the ruling on trading in and possessing animals and birds for the purpose of having a hobby or for decorative purposes. These include for example: 1- Decorative birds such as parrots and other colorful birds 2- Reptiles such as snakes and lizards 3- Predators such as wolves, lions, foxes, and so on.

These animals and birds are possessed either for their beauty or for their fur.

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It should be noted that they are very expensive and will be kept behind bars, but dealing in them is very profitable.

A: First, selling decorative birds like parrots, colorful birds and nightingales for their voices is permissible because looking at and listening to them is permissible. There is no text in the Shari`ah which forbids selling or possessing them; at the same time, there are texts which may be understood to mean that it is permissible to keep them in cages, as long as they are fed and watered and given all the care that is needed. Among these texts is the Hadith narrated by Al-Bukhari on the authority of Anas who said: (The Prophet (peace be upon him) was the best of people in attitude. I had a brother called Abu `Umayr who had just been weaned, I think. When he (peace be upon him) came, he would say, 'O Abu `Umayr what happened to the nughayr?' – a nughar [young sparrow or small bird] with which he used to play...) Al-Hafez Ibn Hajar said in his commentary Fath al-Bary, when enumerating the things that we learn from this Hadith: "... it is permissible for children to play with birds; it is permissible for parents to allow their children to play with things with which it is permissible to play; it is permissible to spend money on permissible things to entertain children; it is permissible to keep a bird in a cage and it is permissible to clip a birds' wings – for one of these matters must have been the case with Abu `Umayr, and whichever one it was, the other is also implied in the ruling. There is also the Hadith narrated by Abu Hurayrah (may Allah be pleased with him) in which the Messenger of Allah (peace be upon him) said: (A woman entered Hell because of a cat which she detained but she did not give it food or water, and she did not let it free so that it could eat of the vermin of the earth.)

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If this is permissible in the case of cats, then it is also permissible in the case of birds and the like. Some scholars saw that it is makruh (reprehensible) to keep them in cages. Others saw that this is not permissible because people do not need to listen to their voices and look at them. This is an unnecessary luxury and soft living, and it is also foolishness because it means that one is enjoying the voice of a creature that is calling out longing to be allowed to fly and grieving that it cannot fly freely in the open air. This view was stated in Al-Furu`, its Footnotes (4/9) and Al-Insaf (4/275) by Al-Marudy. **Second,** among the conditions of valid sales is that the sold object should be something which is permissible to use and benefit from, even if there is no necessity as such. There is no benefit in snakes, which are indeed harmful, so it is not permissible to buy or sell them. The same applies to lizards – there is no benefit in them, so it is not permissible to sell or buy them. **Third,** it is not permissible to sell predators such as wolves, lions, foxes or any

other fanged carnivore, because the Prophet (peace be upon him) forbade that, and because it is a waste of money, which was also forbidden by the Prophet (peace be upon him).

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The first question of Fatwa no. 5436

Q 1: my father's earnings are ill-gotten. He wants to build up a trade for me based on this illicit money. Is it permissible for me to purify my trade from ill-gotten money through its profits? It is worth mentioning that I have only accomplished the preparatory stage and I did not want to learn any profession.

A: First, Allah (Glorified be He) legislates for Muslims to deal with each other through lawful contracts such as, sale contracts, Ijarah (a lease for a lawful identified use or a hiring agreement), Salam sale (sale with advance payment), partnership, and so on, as this is for the people's interest. **Second,** Allah (Exalted be He) has prohibited some kinds of contracts because of the harmful effects they contain, such as, usury contracts and commercial insurance. He (Exalted be He) has also prohibited some sales such as, musical instruments, selling wine, hashish and tobacco because of their harmful effects. A Muslim should follow the lawful ways for living and gaining money and avoid illicit money and all the forbidden ways. When Allah (Exalted be He) knows that His

servant has a truthful intention and is determined to follow His Shari`ah (Islamic law) and the guidance of His Prophet Muhammad (peace be upon him), He will facilitate everything and He will provide him from sources he never could imagine. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ It has been reported that the Prophet (peace be upon him) said: ﴾Whoever abandons something for Allah, Allah will replace him with something better than it.﴿ Therefore, you should not build up trade with unlawful capital, whether this money is yours or your father's.

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The second question of Fatwa no. 6125

Q 2: My father is a merchant and I help him in his trade, but his trade involves some unlawful things such as selling recorded tapes which publicly declare all kinds of enmity towards Allah and unspeakable Fisq (flagrant violation of Islamic law) in addition to selling cigarettes. The earnings of such items

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are at least half the profit of the shop. I use this money for my personal needs and sell such things under duress as my father orders me to do such-and-such. I hope that you will give me a relevant Fatwa concerning this matter.

A: It is not permissible to collaborate with your father or help him or anyone else in selling forbidden items, for the Prophet (may peace be upon him) said: ﴿Submission is obligatory only in what is good (and reasonable).﴾ and he said: ﴿There is no submission in matters involving disobedience to Allah or His displeasure.﴾ You should advise your father with kindness and good manners, and apologize to him as we mentioned.

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selling cassette tapes

Fatwa no. 1649

Q: Is it lawful to buy a cassette recorder?

A: There is no harm in buying and listening to a cassette recorder if the person buys it to record or listen to recitation of the Qur'an, lectures or religious speeches or the like. However, if the person buys it to listen to unlawful material such as songs or trivial speeches, it is unlawful to buy it and listening to it will also be unlawful.

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Fatwa no. 13031

Q: I am a young man who likes to participate in Da`wah (calling) to the way of Allah and spreading Din (religion) in every place, amongst all the classes of society, and by all means that I consider appropriate. Thus, I would like to buy a tape recorder to record religious and Qur'anic tapes along with beneficial Islamic lectures and distribute them amongst different groups of people as much as I can. I would also like to get singing-tapes from their owners and return them after recording good materials on them. My question is: Is this a good and appropriate deed that serves the Din or is it something that you do not agree with? It may be worthy to mention that I consulted one shaykh in my country about my plan but he objected to it and considered it inappropriate; what is your opinion? Please answer me and write the answer at the bottom of this sheet of paper. May Allah reward you with the best.

A: It is permissible that you buy a tape recorder which you mentioned in the question provided that you only use it for good purposes. You are to be thanked for recording Islamic tapes and distributing them amongst people.

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Entertainment Devices

The seventh question of Fatwa No. (2742)

Q 7: Is it permissible to purchase a television for my home in order to watch all types of drama series and game shows? Is it permissible to purchase a cassette recorder and listen to songs on it? Or is it impermissible during Salah (Prayer) time or any other time?

A: Most television programs are a waste of time and are evil. Thus, when the evil of a thing outweighs its good, it becomes impermissible. It is prohibited for a Muslim to buy, possess, watch or listen to it. The same applies to musical devices.

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Fatwa no. 8890

Q: I used to have three TVs and a VCR at home which I used to watch, and it is a known fact that what is broadcasted and presented on them is either prohibited or doubtful. Now, praise be to Allah, I stay away from these things and repented to Allah. Moreover, I, praise be to Allah, bought a piece of land to build a Masjid on it and I am in need of an extra amount of money to complete the price of that land.

My question is: Can I sell the TVs and the VCR and use their money to pay those who will build the Masjid or to help in the construction process? Moreover, if I sell these gadgets, to whom should I sell them, since what is presented and broadcasted on these gadgets are evil things?

A: You are allowed to leave the TV and the VCR in your home if you can control yourself, and you should only use them for listening to useful religious and scientific lectures, the recitation of the Qur'an, news bulletins, the political news and similar things which are allowable to watch and listen to. If you cannot do that, then do not sell them because those who buy them from you will mostly use them in useless things and watching prohibited materials, and thus, you should get rid of them to relieve yourself from that evil and Allah will reward you. However, if you find a person who you think will use them in permissible acts, then there is no blame on you if you sell them to him.

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It is Allah from Whom we seek guidance, and may Allah send His prayers and peace upon our Prophet Muhammad, and upon his family and His companions.

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The first question of Fatwa No. (8162)

Q: I would like to open a store for rentals and sales of video tapes which are approved by the Ministry of Information and adhere to their regulations remaining in accord with Islamic guidelines. Is this business or the profit gained from it Haram (prohibited), bearing in mind that I do not want to involve myself in any work which is displeasing to Allah? Video sales is the only small business project needing no great capital, yet can produce a good income. Please advise as I am unclear regarding this matter.

A: Video, television, radio and other mass media may not be judged on their own to be Halal (lawful) or Haram, for they are no more than devices. It is the manner in which these instruments are used that can be judged. Thus, if they are used for purely prohibited or most likely prohibited purposes, they will be prohibited. Otherwise, they will be Halal. Accordingly, if you use video for good purposes only as you mentioned, it will be good; otherwise, it will be evil.

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The tenth question of Fatwa No. (6364)

Q 10: Is it permissible to sell cassette tapes with songs, like those of Umm Kalthum, Farid Al-Atrash and others?

A: Selling such tapes is Haram (prohibited) as the songs they contain are impermissible to be sung or listened to. The Prophet (peace be upon him) is authentically reported to have said: (If Allah forbids something (to be consumed), He, with greater reason, forbids its price (i.e. selling it).)

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The twentieth question of Fatwa no. 11967

Q 20: Is it permissible to sell food which contains pork or alcohol? There are many Muslims in America who own grocery stores where they sell beer, pork, and tobacco, or they work in such stores.

A: It is not permissible to sell items that are forbidden to eat or use including the items mentioned in the question.

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The twenty first question of fatwa no. 12087

Q 21: Is it permissible to trade in alcohol and pigs if a person sells it to non-Muslims?

A: It is prohibited to trade in what Allah has prohibited of foods and drinks such as alcohol and pigs even if a person sells them to non-Muslims. It was authentically reported that the Prophet (peace be upon him) said: ("If Allah forbids something (to be consumed), He, with greater reason, forbids its price (i.e. selling it).") Moreover, the Prophet (peace be upon him) said: (cursed is Khamr (alcohol), the one who drinks it, the one who sells it, the one who buys it, the one who carries it, the one to whom it is carried, the one who consumes its price, the one who squeezes it (the grapes, etc) and the one for whom it is squeezed.)

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The second and third questions of Fatwa no. 8289

Q 2 and 3: What is the ruling on working in a restaurant that serves alcohol, if I avoid serving or carrying drinks to the customers, but continue to serve them if they just ask for food or lawful beverages? Bear in mind that I pass by customers who are drinking and see those who serve them, as it happens in the same place. What is the ruling on a Muslim who serves alcohol to attract customers? What is the ruling on serving pork to customers when working in that restaurant, as a service and for earning a living? What is the ruling on the owner of a restaurant that

serves pork and profits from this?

A: Firstly: It is Haram (prohibited) to work and earn a living from helping others consume forbidden things such as alcohol and pork, and any payment received in return for this is also Haram, because it falls under cooperation in sin and transgression. Allah (Exalted be He) forbids this saying (what means): ﴿but do not help one another in sin and transgression.﴾ We advise you to stop working at this restaurant and similar places, as this will rid you from abetment in something that Allah has forbidden. **Secondly:** It is Haram for a Muslim to sell anything that is prohibited, such as pork or alcohol, as it has been authentically reported from the Prophet (peace be upon him) that he said, ﴿"When Allah forbids a thing, He also forbids its price."﴾ Things like livelihood and attracting customers are in the Hand of Allah, not in the selling of prohibited items. Therefore, a Muslim should have Taqwa (fearing Allah as He should be feared) by submitting to His Orders and avoiding His Prohibitions. ﴿And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴾ ﴿And He will provide him from (sources) he never could imagine.﴾

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 18279

Q 1: I live in a tribe in Morocco. Most of the inhabitants of this tribe work in France and most of them own grocery stores where wine and pork are sold. They say that if they abstain from selling wine and pork, no one will buy from them because they do business with the French. Is it permissible to accept their gifts, and eat or drink with them? Is it permissible to marry their daughters even if they are relatives? We would like to know your view on this as we are confused. May Allah reward you best!

A: It is not permissible for a Muslim to sell wine, pork or to take their prices. Allah (Exalted be He) makes them unlawful and when He makes something unlawful, He makes its price unlawful as mentioned in an authentic Hadith. If all the money of the people mentioned is unlawful, then it is not permissible to accept their gifts or eat from their food. If their money is a mixture of lawful and unlawful earnings, there is no harm in eating their food, and accepting their gifts. Allah (Glorified be He) makes it permissible to eat from the food of the people of the Book even though it is a mixture of lawful and unlawful. Also, the Messenger of Allah (peace be upon him) ate some of their food. However, you should advise them and warn them against selling wine and pork acting upon the saying of Allah (may He be Praised): ﴿The believers, men and women, are Auliyâ' (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) Al-Ma'rûf (i.e. Islâmic Monotheism and all that Islâm orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islâm has forbidden)﴾

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Moreover, the Prophet (peace be upon him) said: ﴾Whoever, among you, sees something abominable should rectify it with his hand; and if he has not strength enough to do it, then he should do it with his tongue; and if he has not strength enough to do it, (even) then he should (abhor it) from his heart, and that is the least of Faith.﴿ Narrated by Muslim in his Sahih (authentic) Book of Hadith.

There is no harm in marrying their daughters, especially if their daughters are chaste Muslims.

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The fourth question of Fatwa no. 4306

Q 4: what is the ruling on selling live chickens by weight, and on selling vinegar that contains 6% alcohol?

A: First, it is permissible to buy chickens by weight. This is the basic principle and we do not know of any evidence to the contrary. **Second,** it was authentically reported from the Prophet (peace be upon him) that he said: ("Whatever intoxicates in large quantities, a small amount of it is Haram (prohibited).) If the vinegar would cause intoxication in large amounts, then a little of it is Haram,

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and it comes under the same ruling as wine. If a large amount of it does not cause intoxication, then there is no reason not to sell it, buy it, or drink it.

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The fourth question of Fatwa no. 5177

Q 4: Is it permissible to sell alcohol (which is an intoxicant) for the sake of using it as fuel or in other industries? Is it permissible to sell it to those who will also use it as fuel?

A: Selling alcohol or any intoxicant is prohibited. Whoever has any of these things should destroy them as he is not permitted to sell them. This is due to Allah's saying: (but do not help one another in sin and transgression.)

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Fatwa no. 6907

Q: We feel that you are honest in your Fatwas (legal opinions issued by a qualified Muslim scholar), so please advise us concerning the following two issues, as there is much controversy regarding them, between permission and prohibition, and as the Muslims are frequently subject to them.

With many thanks in advance.

First, trading in perfumes that contain alcohol, and using them if the percentage of alcohol is large or small.

Second, trading in Mus-hafs (Arabic Qur'an).

A: First, if the percentage of alcohol in perfumes is intoxicating if a lot is drunk, it is Haram (prohibited) to use these perfumes in any way or trade in them, because it is Khamr (intoxicant), whether much or little. If the percentage of alcohol is not intoxicating if a lot is drunk, it is permissible to use it and trade in it, as the Prophet (peace be upon him) said, ﴿If a large amount of anything causes intoxication, a small amount of it is Haram.﴾ **Second,** trading in Mus-hafs is permissible, as it is a form of cooperation in

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righteousness; facilitating the means to getting them, memorizing the Qur'an and reading it; notification and establishing the evidence.

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The second question of Fatwa no. 1407

Q 2: What is the ruling on selling tobacco products and the like? Is it permissible to give Sadaqah (voluntary charity), perform Hajj and other acts of righteousness from these revenues and profits?

A: It is not permissible to deal in tobacco or any other unlawful substance, because they are evil and filthy in addition to the physical, spiritual, and financial harm they cause. If a person wanted to give Sadaqah, perform Hajj, or do some acts of righteousness, then he should strive to make his earnings Halal. This is based on the general meaning of the saying of Allah (Exalted be He): (O you who believe! Spend of the good things which you have (legally) earned, and of that which We have produced from the earth for you, and do not aim at that which is bad to spend from it, (though) you would not accept it save if you close your eyes and tolerate therein. And know that Allâh is Rich (Free of all needs), and Worthy of all praise.)

The Prophet (peace be upon him) said: (Allah the Almighty is good and accepts only that which is good.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 3952

Q 1: What is the ruling of Islam on selling tobacco (cigarettes)? If this is an order from a person's father, is this an excuse? If it is Haram (prohibited), what should be done? What is the ruling of Islam on selling corned beef, luncheon meat and imported cheese? Please advise, may Allah reward you.

A: It is Haram to smoke cigarettes or trade in them, even if this is done according to the orders of a father or anyone else, as it was authentically reported that the Prophet (peace be upon him) said, ﴾There is no submission in matters involving Allah's disobedience or displeasure.﴿ He (peace be upon him) also said, ﴾Submission is obligatory only in what is good (and reasonable).﴿ If the imported foods, such as corned beef, luncheon meat and cheese, are extracted from an animal that was slaughtered in a non-Shar`y (Islamically lawful) way, or it was proven that a prohibited substance was added to it,

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such as lard or carrion, it will be impermissible to eat, buy or sell it.

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The second and third questions of Fatwa no. 8982

Q 2,3: What is the ruling on selling all kinds of tobacco? I smoke tobacco, but when I hear Adhan (call to Prayer) I go to the Masjid (mosque). Should I perform Wudu' (ablution) again or is rinsing my mouth sufficient? Moreover, I know that smoking causes many harmful diseases.

A: It is not permissible to sell tobacco because of its great harms. The person who sells it is a disobedient person. A person is not required to perform his Wudu' again because of smoking tobacco. But he is recommended to remove this bad smell in his mouth due to smoking with anything that can remove it. One should repent to Allah from doing so.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 13853

Q: I would like to inform you that my two brothers and I have a grocery store. One of my brothers smokes while the other does not. We sell cigarettes in this grocery store along with other merchandise. I tried hard to convince them that we should stop selling cigarettes, but they refused to obey me. I find that dissolving my partnership with them is a little bit difficult, because of the ties of kinship and being the older one after our father's death (may Allah be merciful with him). If I took this step, my mother would be upset and I do all that for the sake of pleasing her. Is it permissible to exclude the profits of these filthy items, such as tobacco and depraved magazines outside the general profits of the store and let them have them? Kindly give me your Fatwa in this regard.

A: You should advise your brothers not to sell tobacco and obscene magazines, because such things are unlawful and entail Haram earnings. It is not permissible to deal with those who sell such things, for Allah (Glorified be He) says: ﴿Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴾ You should seek the help

of the righteous people from your relatives to advise your brothers until they consent to stop selling these things, if Allah wills, in sha'a-Allah. We ask Allah (Exalted be He) to guide them to the path of Al-Haqq (the Truth), and guide us all to what pleases Him. However, if they refused to accept the advice, then you should break up with them and save yourself from Haram earnings and cooperating in sin and aggression, even if this is against the will of your mother. The Prophet (may peace be upon him) said: ﴿Submission is obligatory only in what is good (and reasonable).﴾ He (peace be upon him) also said: ﴿There is no submission in matters involving disobedience to Allah or His displeasure.﴾ At the same time, you should be keen on seeking every way to please her as long as they are lawful and permissible. We ask Allah (Exalted be He) to grant you success, and guide your brothers to that which is good. May Allah guide all people.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 15143

Q: I am a well-known wholesaler and I have been working for twenty years now. I sell foodstuffs, different types of tobacco, and other merchandise. I sell around 25 different brands of tobacco, which I import from foreign producers outside the Kingdom with the aid of general agents in the Kingdom in

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Riyadh, Jeddah, or Dammam. After the shipments arrive, I distribute them among small shops and retail stores and markets. I would like to add that I pay huge amounts of money to import the tobacco that may reach 50 million riyals monthly and more than 650 million riyals yearly. My question is:

Is tobacco Haram (prohibited) or not?

If it is Haram, is it permissible for me to sell it at the same establishments along with other merchandise such as foodstuffs?

Also, is it permissible to separate between the two, selling foodstuffs in other stores?

Can I put its profits into charitable projects?

It is worth mentioning that I tried to stop dealing in it before, but the losses reached 50% in some stores and 100% in others.

I ask Allah and hope you will give me a clear, correct, and convincing answer supported by evidence from the Qur'an and Sunnah (whatever is reported from the Prophet). A written answer would be better to resist the insinuations of Satan, free myself of any blame, and be sure of the ruling on my business on the Day of Resurrection when I will meet Allah. Moreover, I heard Shaykh Al-Tantawy say in an interview that tobacco was not Haram, but merely Makruh (reprehensible). That is what kept me selling it. I hope the written answer includes the names, signatures, and titles of those who issue it

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to be able to take the right decision. Allah willing, it will be the final decision without any hesitation. I give my word on that, and Allah is my Witness.

A: All types of tobacco are Haram so is trading in it, as it leads to evil and brings many harms to one's faith, health, and money. You must repent to Allah from what you have done in the past and have the sincere resolution not to trade in it again. Be sure that Allah will reward you well and will compensate you.

As for that past period, we ask Allah to forgive you, as you were not sure of the prohibition. Allah states, ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury). So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge); but whoever returns [to Ribâ (usury)], such are the dwellers of the Fire - they will abide therein.﴿ Consequently, the tobacco you presently own should be destroyed and not sold or given to any one. Enclosed are three related papers; the first is by Sheikh Muhammad ibn Ibrahim Al

Al-Shaykh (may Allah be merciful with him), the second by Sheikh `Abdul-Rahman ibn Sa`di (may Allah be merciful with him) and the third by Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz.

I ask Allah that you benefit from them and may He guide us all to what pleases Him. May Allah make it easy for everyone to understand this faith and adhere to it. May Muslims prefer Allah's Pleasure over everything else, for He is Most-Generous and All-Bountiful.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 15928

Q 1: What is the ruling of Islam on growing tobacco seeds and on the money earned by the farmers through selling it?

A: It is impermissible to grow, sell or use tobacco, as it is Haram (prohibited) in many aspects, due to its dangerous effects on health, its harmfulness and uselessness. A Muslim should quit it and abstain from growing it or trading in it. If Allah prohibits something, this entails that its price is prohibited. And Allah knows best.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 16502

Q 1: I am a merchant and I deal in tobacco. Is it permissible for me to deal in it? It should be noted that I do not smoke. I also have a television which televises football matches and T.V. series for the youth, thus they miss some Prayers. Is it permissible for me to keep it in this case? I am near to the market and the Masjid (mosque) is 200 m from my shop. I offer Salah (Prayer) in my shop and abandon congregational Prayer. What is the ruling on my work?

A: tobacco is a harmful substance. It is not permissible to smoke or sell it, for when Allah (Exalted be He) makes something unlawful, He also makes its price unlawful. You have to repent to Allah (Exalted be He) for dealing in it. You should sell only lawful articles which are good and useful. Whoever leaves an unlawful thing for Allah's Sake, He will compensate him with that which is better. Also, it is not permissible to let young people gather at your shop and abandon Salah and it is obligatory for you to shut your shop and go to the Masjid according to the saying of Allah (Exalted be He): ﴾O you who believe! Let not your properties or your children divert you from the remembrance of Allâh. And whosoever does that, then they are the losers.﴿ Moreover, the Prophet (peace be upon him) said: ﴾Whoever heard the call (to salah) and he did not come to it, then there is no (reward for the) Salah for him except with an excuse.﴿

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It was said to Ibn `Abbas (may Allah be pleased with them both): What is the excuse? He replied: Fear or disease. In addition, it is authentically reported that ﴾A blind man came to the Prophet of Allah (peace be upon him) and said: O Messenger of Allah, I have no one to guide me to the Masjid (mosque). He, therefore, asked Allah's Messenger (peace be upon him) permission to perform prayers in his house. He (the Prophet) granted him permission. Then, when the man turned away he (peace be upon him) called him, and said: Do you hear the call to prayer? He said: Yes. He (the Prophet then) said: Respond to it.﴿ Related by Imam Muslim in his Sahih.

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The fourth question of Fatwa no. 3201

Q 4: is it permissible to buy tobacco for my father as he asks me to do so?

A: It is not permissible to buy anything prohibited for the sake of your father whether it is tobacco, opium, hashish, alcohol or the like even if he asks you to do so. It was authentically reported that the Prophet (peace be upon him) said: ("There is no submission in matters involving Allah's disobedience or displeasure.") He also said: ("Submission is obligatory only in what is good (and reasonable).") But you have to advise him and apologize for not buying it in a polite way and with good manners.

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Fatwa no. 14079

Q: My father owns a shop that sells water pipes and dominos along with many other home utensils. I advised him many times regarding this matter. Even though he knows that smoking cigarettes is Haram (prohibited), he believes that selling water pipes is not. So please send to me a Fatwa regarding the ruling on selling smoking utensils and dominos, and swearing while buying and selling. Also, please advise him regarding the punishment of Haram earnings and the importance of the Halal (lawful) earnings.

A: Selling water pipes and their utensils is Haram because of the great evils and harms they contain.

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selling Flowers

Fatwa No. (17156):

Q: Recently, selling flowers near hospital entrances has become quite common with prices ranging from 50 riyals to 1000, and even 2000 riyals. People buy flowers for hospital patients which is an imitation of what non-Muslims do in non-Muslim countries. Moreover, people have begun to boast about it spending lots of money eventhough flowers wither in no time and are then thrown away as rubbish. Your Honor, we fear that this may lead to people placing flowers on the graves of the dead as practiced in the West and in some Arab countries. We know that flower shops are usually located near churches in non-Muslim countries. We hope that Your Eminence issue a fatwa on the issue in an attempt to give an end to such a practice.

A: Based on the above mentioned facts, The Permanent Committee for Scholarly Research and Ifta issues the fatwa that this practice is impermissible as it entails wasting money on non-useful purposes and imitating Allah's adversaries in this custom.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third and fifth questions of Fatwa No. (7359):

Q 3: What is the ruling on trading in women's accessories and on selling them to a woman whom the seller knows, by her appearance, will display these wears before Ajanib (men lawful for the woman to marry) which is a common misconduct in some countries?

A: Women's accessories may not be sold to a woman whom the seller knows will use unlawfully as it falls under helping one another in sin and aggression. However, if the seller knows that the buyer will use them to adorn herself for her husband or knows nothing, he may sell them to her.

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Q 5: What is the ruling on trading in Mushafs (printed copies of the Qur'an) and Qur'an tapes?

A: It is a permissible business as it falls under cooperation in righteousness and piety.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa No. (17659):

Q: Precious metals shops are banned from exhibiting, selling or possessing with the aim of selling the following: crafts engraved with Ayahs (Qur'anic verses) or pictures conflicting with the principles of Shari`ah (Islamic law).

I would like that Your Eminence inform me about the ruling on selling, buying or

exhibiting:

1- crafts engraved with Allah's Glorified Name or such names as Abdul-Rahman, Abdullah or the like.

2- Crafts symbolizing signs of the Zodiac such as Aries, Scorpio, Libra, etc engraved or three-dimensional. What is the ruling on wearing them while offering Salah (Prayer) ?

3- Crafts representing busts only.

4- Gold coins added to some jewelry which contain a profile of a man such as George or others.

5- Star of David, Cross, or any Jewish or Christian symbol.

6- Men's gold rings which shop owners claim they do not sell to Muslims.

Please, bear in mind that your Fatwa will help us, Trade Ministry inspectors, remove such unlawful items from gold markets In sha'a-Allah (if Allah wills). We ask Allah to make you among those who will lead a long life, perform good deeds, and benefit the Ummah with your knowledge.

A: First: Metals and stones may not be engraved with Ayahs and the Glorified Name of Allah, for by doing so, Ayahs are used for purposes other than what they are intended for and for fear that Ayahs as well as Allah's

Glorified Name may be exposed to desecration.

Second: Signs of the Zodiac can be traced back to Jahiliyyah (pre-Islamic time of ignorance) which a Muslim must avoid. A Muslim must avoid anything that may revive such ideas pertaining to Jahiliyyah; moreover, they are three-dimensional images of animate beings. Accordingly, jewelry may not be crafted to take such forms, which may neither be owned nor Salah be offered while wearing them.

Third and fourth: Hadith prohibiting depicting animate beings are comprehensive enough to comprise all representations of animate beings including busts. Accordingly, jewelry may not be crafted in such a form.

Fifth: Jewelry may not be engraved with symbols of unbelief such as a Cross, Star of David or the like. Therefore, they may not be sold or bought.

Sixth: It is impermissible to sell men's gold rings to be worn by them. However, shop owners justifying doing so on the pretext that they sell them to non-Muslims is an invalid justification, for they

live in a Muslim country where it is obligatory on all residents to deal in transactions deemed lawful by its glorified Shari`ah. Such a justification is equivalent to selling wine on the pretext of selling it to non-Muslims. It is a fact, men are prohibited from wearing gold rings.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The fifth question of Fatwa No. (1818):

Q 5: is it permissibile to sell a dead animal and take a price in retrun?

A: Flesh of dead animals is prohibited according to the statement of Allah (Exalted be He): ﴾Forbidden to you (for food) are: Al-Maitah (the dead animals - cattle - beast not slaughtered)﴿ Because it is prohibited to be eaten, it may not be sold or bought. Moreover, profiting from its sale is considered ill-gotten gains. Furthermore, one may not eat it unless in the case of dire necessity. After listing things prohibited to be eaten, including the flesh of dead animals in Surah Al-Ma'idah, Allah stated: ﴾But as for him who is forced by severe hunger, with no inclination to sin (such can eat these above mentioned meats), then surely, Allâh is Oft-Forgiving, Most Merciful.﴿ However, dead locusts and fish are an exception, i.e. they may be sold, for Allah permitted eating both dead and live locusts and fish. In this regard, Allah (Exalted be He) stated: ﴾Lawful to you is (the pursuit of) water-game and its use for food? for the benefit of yourselves and those who travel﴿

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Moreover, the Prophet (peace be upon him) stated regarding the sea: ﴾Its water is pure and what dies in it is lawful food.﴿ Furthermore, he (peace be upon him) is reported to have stated: ﴾We are allowed to eat two dead animals and two (kinds of) blood. As for the two dead animals, they are fish and locust. As for the two bloods, they are liver and spleen.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Payment for blood donors

Fatwa No. (8096):

Q: A Blood bank gives presents to blood donors such as Salah (Prayer) rugs, medals, head coverings or the like, and sometimes 300 riyals. I would like to know what the Shari`ah (Islamic law) ruling is on such gifts.

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A: It is impermissible to sell blood. This is based on the Hadith recorded in the (Sahih (authentic book of Sunnah) of Al-Bukhari) on the authority of Abu Juhayfah who said: ﴾I saw my father buying a slave whose profession was cupping and ordered that his instruments (of cupping) be broken. I asked him about the reason behind doing so. He replied, "Allah's Messenger (peace be upon him) prohibited taking money for blood, the price of a dog, and the earnings of a slave-girl by prostitution; he cursed she who tattoos and she who gets tattooed, the one who takes or gives Riba (usury), and the maker of statues."﴿

Al-Hafiz said in al-Fat-h: What is meant by the Hadith is that it is prohibited to sell blood just as it is prohibited to sell dead meat and pork. In fact, to sell blood and take its price, is prohibited according to the scholars' unanimous agreement. End quote.

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selling a Najis (ceremonially impure) article

Fatwa No. (19896):

Q: One of my relatives owns an oil tank containing more than

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four tons of olive oil. On deciding to sell it, he opened the tank to find two mice had fallen into the tank. He then closed the tank awaiting the Shar`y (Islamic legal) ruling on the issue, as I will pass your reply on to him. Best regards. May Allah reward you well!

A: If a mouse falls into olive oil or the like, the mouse and the part surrounding are to be thrown away. This is based on the Hadith recorded in the Sahih (authentic book of Sunnah) of Al-Bukhari : ﴿The Messenger of Allah (peace be upon him) was asked regarding ghee (cooking butter) in which a mouse had fallen. He said: Take out the mouse and throw away the ghee around it and use the rest.﴾

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The third question of Fatwa No. (1974):

Q 3: is it permissible to sell gold shaped in the form of an animal and gold coins engraved with a picture of half a man?

A: Selling and buying pictures of animate beings is impermissible. The Prophet (peace be upon him) is authentically reported to have stated: (Allah and His Messenger made illegal the trade of alcohol, dead animals, pigs and idols.) (Recorded by both Al-Bukhari and Muslim.) This also may cause deifying

those pictured as was the case with the people of Nuh (Noah) (peace be upon him). It is recorded in the Sahih (authentic book of Sunnah) of Imam Al-Bukhari (may Allah be merciful with him) on the authority of Ibn `Abbas (may Allah be pleased with him) on explaining the statement of Allah (Exalted be He): ("And they have said: 'You shall not leave your gods: nor shall you leave Wadd, nor Suwâ', nor Yaghûth, nor Ya'ûq nor Nasr' (these are the names of their idols).) He said, "The names (of the idols) formerly belonged to some pious men of the people of Noah, and when they died Satan inspired their people to (prepare and) place idols at the places where they used to sit, and to call those idols by their names. The people did so, but the idols were not worshipped till those people (who introduced them) had died and the origin of the idols had become obscure, whereupon people began worshipping them." There are, in fact, many other religious texts indicating that producing or using pictures of animate beings is prohibited.

We have so far spoken about items taking the shape of animate beings. As for items engraved with pictures of animate beings, be they gold, silver or monetary coins, clothes or machines; if they are circulated among people with the purpose of being hung on walls or such purposes as may not be considered depricating them, dealing in them will be prohibited. In fact, it is falls under the scope of the evidence prohibiting producing and making use of the pictures of animate beings. However, if the item engraved with such pictures is used for menial purposes such as a cutting machine, a rug to be trodden on or a cushion to be leaned on or the like, it will be permissible. This is based on the Hadith authentically reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) (on the authority of `Aishah (may Allah be pleased with her) who said that she hung a curtain decorated with pictures (of animates) on a cupboard. The Prophet tore that curtain and she turned it into

two cushions which remained in the house for the Prophet to sit on.) According to the wording of Ahmad, she said: (I tore it and made two cushions out of it. I saw him leaning on one of them that has a picture.) Bear in mind that making images of animate beings is prohibited and it is not a permissible line of work to produce coins or clothing or anything else according to the above-cited evidence.

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buying illustrated magazines

The first question of Fatwa No. (8321):

Q 1: What is the ruling on buying magazines containing pictures of women wearing fashionable clothing which are in line with our revered Shari`ah (Islamic law) and do not contradict it it?

A: It is impermissible for you to buy such magazines containing pictures of different dress fashions as it may cause temptation and it helps promote these harmful magazines.

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It suffices you to wear the type of clothes worn by women of your country.

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Fatwa no. 14816

Q: My brother sells magazines such as Sabah Al-Kheir (Good Morning), Al-Yaqazah (Awakening), Al-Kawakib (Stars) and the like in addition to daily newspapers. Is money acquired from such a trade ill-gotten? May I eat food bought by such money which he spends on our home? What should I do? How can I deal with my family members being alone in adhering to the principles of my religion, praise be to Allah, while all of them are ignorant? I have already advised them but they paid no attention to my advice. They, moreover, called me mad for abandoning their customs and traditions and disobeying them.

A: First: It is impermissible to trade in obscene magazines containing pictures of women showing their beauty and charms as they are means to spread corruption and evil. In fact, means have the same rulings as the ends. Moreover, those trading therein actually cooperate with their editors in their work which is a grave sin and a great crime. Allah (Exalted be He) prohibited cooperation in sin and transgression. Allah (Exalted be He) said, ﴾but do not help one another in sin and transgression.﴿

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Second: Thank Allah (may His mention be Exalted) for helping you know and follow the truth. Be persistent in it and stick to it. Moreover, continue in calling your relatives to Allah with wisdom, good words, and kind language. Moreover, you should be kind to them and endure with patience all that might hurt you while trying to do so in the hope that Allah might guide them.

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selling visas

Fatwa no. 13263

Q: One of my relatives rented a shop in return for ten thousand riyals approximately. He applied for three visas. After acquiring them, one of his friends told him that one of his relatives wanted to buy one of these visas. They willingly paid eight thousand riyals for that visa. The person who was in need of this visa was in Saudi Arabia. He stayed there until the visa expired though the employer had asked him to go home and issue a new visa before the current visa expired. However, he did not listen. After the visa expiration, this person came to my relative and asked him to repay him half of the money he received.

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But my relative refused to give him the money and told him that it was his own fault staying until the visa expired. So, he brought it upon himself. Is it permissible for my relative to take this money? We would like you to guide us to the truth in this regard. May Allah reward you well!

A: It is not permissible to sell visas as issuing visas is the work of the Ministry of Interior Affairs.

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Fatwa no. 19883

Q: I wish Your Eminence would guide me to the right path and good deeds. I brought in some foreign workers about eight years ago, and sold the visas to another person here; he was from Pakistan or from Egypt. This was on the basis that he would bring in the workers and they would do whatever work he wanted, meaning, they would not be working with me in my corporation. This was a condition between me and them, and we agreed that they would pay a portion of their salary to me at the end of each month, but this was not binding. I repent to Allah for doing this. Some of the workers have returned to their country, and I do not have their address, and some of them are still here and I do not take any money from them; shall I ask them to forgive me for this deed?

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My brother was and still is responsible for them and I was his authorized agent. What is the ruling on the money which I have taken for selling the visas and the money I have taken from the workers?

I am a fourth-class public servant whose salary is 4462 Riyals. I have to pay for a car and house in installments. Therefore, I can not afford any further installments. This is my financial position.

I also used the money I took from the workers in my marriage, and this matter causes me severe pain. Is there any harm concerning this? Now, with Allah's favor I have a child who represents the turning point in my life. What should I do? May Allah reward you!

A: selling visas is not permissible, because it involves telling lies, breaking the law and deceiving the authorities, and it is consumption of wealth by means of falsehood. Allah (Exalted be He) says: ﴾And eat up not one another's property unjustly (in any illegal way e.g. stealing, robbing, deceiving, etc.), nor give bribery to the rulers (judges before presenting your cases)﴿ Accordingly, the money you earned from selling the visas and the money you took from the workers is ill-gotten, so you have to get rid of it and clear yourself of it. You should spend any money that you have obtained by selling visas,

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in charitable ways such as giving to the poor and building facilities that will benefit the Muslims.

Concerning the money which you have taken from the workers themselves each month, you have to return it to them if they are still in the country, or try to send it to them in their country. If you could not find out where they are or send it to them, then give it in charity on their behalf, because this money was deducted from them unlawfully and they were not compensated for it. You have to continue repenting for this action, and never repeat it in the future. Whoever gives up something for Allah's Sake, Allah will compensate him with something better. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿

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ceding one's rights to another person

Fatwa no. 11985

Q: In our country, there is a system which entails that a person who works or

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studies abroad for a certain period of time is given privileges by the state which entitle them to import cars and goods, while being exempted from customs and taxes when returning home. Is it permissible for that person to sell this right to another person, given that the former is unable to make use of that privilege? Please advise, may Allah reward you.

A: If the case is as you mentioned, it is impermissible for a person who works abroad to sell the right entitled to them by the government, because it is not a trade item.

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The tenth and eleventh questions of Fatwa no. 19637

Q 10: It happens sometimes that some stolen goods are offered in the market. The seller's confusion or ignorance of their content, brand, and operation in addition to the low price and anonymous source may reveal the truth. What are the ruling on buying such goods?

Due to the large number of people who come to the market on Thursdays and Fridays, the rate of thefts among the crowds increases. Many people do not help by reporting such cases of theft under the pretext that they are not working for the local authorities, the police, or the Committee for the Propagation of Virtue and the Prevention of Vice. Is the one who reports such crimes sinful or is he rewarded? Kindly give us your Fatwa in this regard.

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A: If a person is certain that a product offered for sale is stolen or seized by force, or that the one who is offering it for sale is not the legitimate owner, and is not authorized to sell it, then it is Haram (prohibited) for him to buy it. This is because buying it is a form of cooperating in sin and transgression, and not giving its real owner what is lawfully his. Also, this is wronging people and approving of evil, and participating in the sin. Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ Therefore, if a person knows that this product is stolen or seized by force, he should advise the one who stole it. He should do so kindly and gently and with wisdom, telling him that he should stop stealing. If he does not give it up and if he persists in his crimes, then the person should inform the authorities about that so that the wrongdoer may be punished and the property may be restored to its owners. In doing so, the person would be cooperating in righteousness and piety, as well as deterring wrongdoers from sinning. The person would also be sincere to him by stopping the thief and being supportive to those who have been wronged.

Hence, it is proven in the Hadith narrated by Anas (may Allah be pleased with him) that the Prophet (peace be upon him) said: ﴾"Support your brother whether he is a wrongdoer or the one who is wronged." They said: O Messenger of Allah, we can support him, if he is wronged, but how can we support him, if he is the wrongdoer? He said: "By stopping him."﴿

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Related by Al-Bukhari in his Sahih. See Fath Al-Bari (vol. 5, p. 98), and a similar report is narrated by Imam Ahmad in his Musnad. According to another narration ﴾A man said: "O Messenger of Allah, I can support him, if he is wronged, but if he is a wrongdoer, how can I support him? He said: "Deter him from doing wrong, for that is supporting him."﴿ Therefore, supporting the wrongdoer means to deter him from doing wrong deeds and transgressions, and supporting the one who has been wronged means to strive to restore his rights. Preventing the wrongdoer from being able to do harm is a collective obligation. If there is no one who can do that in an official capacity or someone who is

stronger than him and can stop the wrongdoers and sinners and deter them from their wrongdoing and crimes, then it becomes an individual responsibility. This is so depending on the person's strength and ability, and it should be done with kindness and gentleness, and one will be rewarded for that in sha'a-Allah (if Allah wills).

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buying the crop yield for the next few years

Fatwa no. 11594

Q: I gave a sum of money to a fruit merchant to trade with it and give me my profit. Then, I knew that he buys the yield of the farms for many years in advance, because this gives him a discount. Is this profit Halal (lawful), given that I am ready to bear the consequences, whether gain or loss, with him?

A: It is impermissible to buy the yield of a farm for five years in advance, as this entails Jahalah (lack of knowledge) and Gharar (uncertainty). Thus, it is impermissible for you to enter into partnership with the mentioned merchant or take profit in return for this trade, even if you are ready to bear the risk.

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majhul sale

Fatwa no. 19301

Q: I have a small grocery and I sent someone to buy for me

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some foodstuff and juices from one of the large traders. Included in my order was a large box that contained twelve small cartons on which was written: "Try your Luck." Each one of them contained candy and children's toys, such as a car, a plane, a fan, and a train. They were all children's toys and each carton had a different toy inside it. One day, one the neighbors came and told the workers that this is Haram (prohibited) and that it is not permissible to sell these, because the cartons that contain the candies and toys are sealed, and you cannot see what is inside them. Bear in mind that this method is practiced in all shops and markets, and that they are made by companies under supervision. When I heard this, I stopped buying these toys, until I could ask Your Eminence about their permissibility, so that I will not violate my religion. Please advise whether dealing in this kind of candy and children's toys is Haram or permissible, so we all may benefit.

A: This type of product, which is sealed inside a carton and sold without knowing what type of children's toy or other item is inside the carton, is a Majhul sale (sale of the unknown), which lacks the necessary condition of knowing the item being sold either through seeing it or knowing its characteristics. Therefore, it is not permissible to deal in this type of product, where the item being sold is not known, either by sight or by description. This is one type of Gharar sale (uncertain sale) which is prohibited, based on the Hadith reported from Abu Hurayrah

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(may Allah be pleased with him), which stated that ﴾The Prophet (peace be upon him) forbade Gharar sale.﴿ (Related by Muslim)

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Twenty first question of Fatwa no. 19637

Q 21: many times commodities are sold before being unloaded from vehicles to define their contents; what is the ruling on this?

A: If the commodities to be sold have different parts of different types and benefits and if seeing some of them is not sufficient to identify the rest, selling them while they are accumulated is not permissible. This is because the parts of the sold commodities should be identified and checked, as one of the conditions of sale is that the sold object should be known by the two contracting parties and they should see all or some of its parts so as to identify the whole item. This is so provided that the parts are similar to each other. The foregoing does not apply to components which are embodied in the main item or

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that can be overlooked either because of their smallness or the difficulty of distinguishing and identifying them such as cotton which is stuffed in furniture, jubbahs, and so on. Moreover, this includes all commodities that can be identified through a means which is sufficient regarding Salam sale (sale with advance payment); this means may replace seeing the commodity with regard to the sale of commodities concerning which Salam is permissible by seeing - such as measured, weighed, counted, and planted items. Consequently, unawareness of the sold item is uncertainty and deception that invalidate and nullify the sale.

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The Twentieth Question of Fatwa Number (19637) :

Q 20: If someone finds money, gold, or precious items in his commodity without the seller's knowledge of their existence, are these items considered part of the buyer's possession or not?

If the owner of the merchandise does not know about this precious item, then it will not be included within the transaction, because this transaction does not specifically include it. Therefore, the buyer should return it to the seller, after making sure that he is the owner of that precious item. If it does not belong to the seller, then the buyer should return it to its real owner after describing and announcing it. If he does not know the real owner of that precious item, then he should give it away as charity with the intention that

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the reward of the charity goes to its real owner. If, later on, its owner appears and asks for it, then the buyer should pay him its value, and the reward of the charity will be, In sha'a-Allah (if Allah wills), for the giver (i.e. the buyer).

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credit sale and specifying the rate of profit

Fatwa no. 1249

Q: A person is involved in credit sale and purchase and earns a high rate of profit that sometimes reaches one fourth or one third of the commodity's actual price. He sometimes sells the commodities to someone for a given price, then sells the same commodities to another person at a lower or higher price. Is this permissible?

A: Allah (Exalted be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ and says: ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ Consequently, if the person sells the commodities when he owns them and is in possession of them, there is no harm in selling them

as long as he agrees with the purchaser on the rate of profit; whether it is one third or one fourth of the actual price. Moreover, there is no harm if the person sells a given commodity at different prices provided that he does not lie to the purchaser by telling him that he is selling the commodity at the same price as he sold it to so and so, while in fact he is selling it at different prices. Also, this transaction is lawful as long as the sale does not involve Gharar sale (uncertain sale) or breach the common market price. A Muslim trader should be kind and should be content with his profit and should like for his brother what he likes for himself, for this is goodness and it brings about blessings for his profits. A Muslim trader should not be motivated by greed or avarice because these bad morals are the result of hard hearts.

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The first and second questions of Fatwa no. 4552

Q 1: is there a set rate of profit in business or not? Also, take into consideration the high amount of taxes business owners pay each year.

A: It is permissible for a person who sells a product for profit whether immediate or deferred to sell it at a higher price. We do not know of any limit on profit but one should be moderate, as there are reports

which encourage that. However, if the product is known locally to be of a certain price, a Muslim should not sell it for more to one who is unaware of that without telling him of this fact. Inflating prices is a kind of deceit. A Muslim is a brother of his fellow-Muslim, thus he should not wrong him, abandon him, cheat him, or betray him, rather he should advise him sincerely wherever he is. The Prophet (peace be upon him) stated: ("Religion is dependent on advising one another.") The Hadith related by Muslim in his Sahih. And in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of Jarir ibn `Abdullah Al-Yamany that he said: ("I gave my Bay`ah (pledge of allegiance) to the Prophet (peace be upon him) to establish Salah (Prayer), pay Zakah (obligatory charity), and be sincere towards every Muslim.")

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Q 2: Is the increment that sellers add to the price of a credit sale considered to be Riba (usury) or not? For example, if the cash price of a commodity is 500 Dirhams, whereas if the payment is made in installments, a percentage is added to its price of about 5 or 10%. Is this increment considered Riba or not? Please provide a convincing answer with evidence.

A: If an item is sold on credit for more than its actual value, and its deferred credit price is specified at the time of the sale with an increment, there is nothing wrong with this, whether the price is paid as one installment or on multiple fixed-date installments. It was authentically reported in the two Sahih (authentic) books of Hadith (i.e. Al-Bukhari and Muslim), on the authority of 'Aishah (may Allah be pleased with her), that ❨ Barirah made an agreement with her masters to buy her freedom for 9 Uqiyyahs (1 Uqiyyah = 40 Dirhams of silver = 119 grams); paying every year one Uqiyyah .❩

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This was an installment sale.

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Fatwa no. 6161

Q: Firstly: is there any limit for profits in islam? If it is limited, what is the maximum for it? If it is not, how can you point out this matter?

Secondly: What is the value of the Zakah (obligatory charity) of the Day of `Ashura' (10th of Muharram)? Should we pay Zakah in trading according to the price of buying or selling?

A: Firstly: Profits or revenues are not confined to a certain limit in trading. It goes according to supply and demand, scarcity or abundance. But a Muslim whether a merchant or not should be lenient in selling or buying. He should not make use of the unawareness of the buyer. He should not deceive him because he has to put into consideration that he is his brother in Islam.

Secondly: There is no Zakah for the Day of `Ashura'. One should only pay Zakah for gold, silver and articles of trade if they reach Nisab (the minimum amount on which Zakah is due) and one lunar year has elapsed after reaching the Nisab.

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Zakah is due for these things along with their profits after the lapse of one year according to the lunar calendar. A person should also pay Zakah for articles of trade upon the lapse of one year after reaching the Nisab. The price of buying is not to be considered in paying Zakah. The year begins since Nisab is reached whether it was acquired in `Ashura' or any other month of the year.

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The fourth question of Fatwa no. 7339

Q 4: is it permissible for a merchant to have a profit margin of more than 10%?

A: The earnings a merchant may make are not limited by Islamic law. However, it is not permissible for a Muslim to cheat customers by selling his goods at a price that differs from the going rate in the marketplace. Islam teaches Muslims not to seek exorbitant profits, but to be lenient when buying and selling. The Prophet (peace be upon him) urged us to be merciful and tolerant when dealings with others.

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The second question of Fatwa no. 986

Q2: a man purchased some goods for two hundred riyals. Later, he needed cash so he offered to sell the goods for one hundred riyals, despite their being worth more than that. Is it permissible for a buyer to purchase them for just one hundred riyals when its owner bought them for two hundred?

A: There are two points to the case in question: The said goods were purchased for two hundred riyals on credit or in cash. If the purchase on credit, then it may not be offered for sale to the same person from whom it was initially bought and who offered one hundred riyals for it in the second time. In this case, it is not permissible for that person to buy it and this is the issue of `Inah sale (sale with immediate cash repurchase for profit) which is prohibited by the majority of scholars, because it is considered a kind of Riba (usury/interest), as such, it falls under the generality of the evidence regarding Riba.

However, if the buyer bought the goods in cash or credit from a different person, then he may sell the goods for a lower price provided that he is legally accountable for his actions. However, a Muslim should be understanding and merciful towards his fellow-Muslims, and not take advantage of their situation by increasing their burden. Allah (Exalted be He) stated:

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﴾The believers are nothing else than brothers (in Islâmic religion).﴿ The Prophet (peace be upon him) stated: ﴾The similitude of believers in regard to mutual love, affection, and fellow-feeling is that of one body; when any limb of it aches, the whole body aches, because of fever and sleeplessness.﴿ and stated: ﴾A believer to another believer is like a wall of bricks supporting each other.﴿ and he interlocked his fingers. This is the true nature of Muslims which is contrary to their inflicting difficulties upon one another and the greed of some to take advantage of others in need to increase profits.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman
`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify

Fatwa no. 12076

Q: My father owns several shops. I withdrew from my school and worked with him. After a while, my father ordered me to increase the prices of some commodities and to give less in measure and weight. I am not pleased with this but I am forced to do it as I did not complete my education. If I leave work and emigrate to another place, my father will search for me and will beat me when he finds me as he is a harsh and rough man. I am now supposed to be doing military service and my father found a way to let me go to work even though I am doing the service. He did this through his acquaintances. Your Eminence, could you tell me whether I am committing a sin by doing this or is my father the sinner? It is worthy to mention here that this issue tortures me day and night and I am innocent from these deeds. To relieve myself from this ill-gotten money, I do not eat a lot and I fast some days. May Allah reward you best, and guide you to what is good, and grant you Paradise!

A: It is not permissible for you to increase the prices which are fixed by the authorities. It is also not permissible for you to give less in measure and weight even if your father orders you to do so as there can be no obedience to any creature which involves disobedience to the Creator.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Tenth question of Fatwa no. 8267

Q 10: Someone gave me an item for 150 piasters with the idea that I would take 10% from the profit. Is it permissible if I sell that item for more than the price mentioned above and take the profit for myself? What is the ruling if it was conditioned that I do not sell it for more than 150 piasters?

A: it is permissible if you sell the item for more than its price if this is possible but the increase in the price is for the person who owns the item and you may take the percentage you agreed on from the total amount of profit. However, if the owner made it a condition that the item should not be sold for a higher price, it should only be sold for the price which was specified by him.

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Seventeenth and twenty second questions of Fatwa no. 19637

Q 17: Some merchants put price stickers on some commodities to indicate their prices before entering the buyer's market.

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Sometimes these items are over priced. What is the ruling on this?

A: If these stickers that are put on some commodities do not mention the actual prices, using them is impermissible because it involves deceiving the purchaser.

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Bakr Abu Zayd	Salih Al-Fawzan	\`Abdul-\`Aziz Al Al-Shaykh	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Q 22: A person bought some goods then took some things out of them. Later on, they offered the same goods for sale, and said: "We bought them for such and such a price" meaning, we are offering to sell the goods for the same price that we bought them for. They did not talk about the things that they took out from the goods. What is the ruling on this?

A: Whoever bought some goods, took some things out of them, then offered the goods for sale and said that they bought the goods for such and such, it is Wajib (obligatory) on them to say what they took out of these goods. It is not permissible for them to conceal this because doing so involves telling a lie and deceiving the purchaser. On the other hand, they may offer these goods as if they were new and then sell them for a bargain price without mentioning the price for which they bought them or the things that they took out from them.

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 12236

Q 1: what is the ruling on selling a commodity for a certain price and reducing the price for the buyer of large quantities?

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May Allah reward you well!

A: It is permissible to do so.

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Fatwa no. 9303

Q: A person asked another person to buy him a certain commodity. The price, for example, is three Dinars. Can this person give it to him for four Dinars in order to keep this increase for himself? Is it permissible to do this?

A: the deputy must be loyal to the buyer. Therefore, he is not permitted to increase the price of a commodity in order to take this increase for himself without permission from the person who works on his behalf. But if he tells him about this increase, it will be permissible for him to receive it.

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The thirty first question of Fatwa no. 19637

Q 31: a person gave an article to another person to sell on his behalf. after the latter found a buyer, he went to the original owner and bought it for a lesser price,

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having guaranteed that it was going to be sold, but he did not tell its owner about the price it reached. Is this permissible?

A: If a person is a proxy for another one in selling an article, then a person comes to buy it for a certain price, then the former goes to the owner of the article and buys it for a lesser price, without telling the owner, this is impermissible, as it entails lying, betraying trust and harming the owner of the article.

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1115

Q: Is it permissible to sell a commonly owned share in land that has definite borders, space, and location? It may be important to mention that the title deed of this land stipulates that the latter is shared and specifies the percentage of the shared land, compared to the entire area.

A: It is permissible to circulate a commonly owned share of real estate that has definite borders, space, and location provided that the ratio of the concerned share to the whole realty is known; for instance, one fourth, one eighth, or a quarter of the tithe. Subject to the previous condition, it is permissible to circulate this commonly owned share by buying, selling, gifting, inheriting, mortgaging or any other Shar`i (Islamically lawful) form of disposition that is in one's possession as there is no impediment to this.

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`Abdullah ibn Mani`	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 7548

Q: a piece of land was granted to a group of people by the government. Is it permissible for these people to sell their shares to each other if each person's share of the land is known? If this sale is in fact legal, is Zakah due on each person's share of the land if two or three years have passed since the time they took ownership of the land? Is Zakah due on this land every lunar year; or does one only pay the Zakah on the value of his individual share of the land if he sells it? May Allah guide you to what is right.

A: If these people have taken ownership of the land they were granted and each one of them knows the percentage of the land that is his share, then it is permissible for him to sell his share and the sale will be valid. Also, he must pay Zakah on the value of the land one lunar year from the time he decides to sell his share. However, if each of the partners cannot determine his share of the land - not even as a percentage - then the sale is not valid due to the fact that the land which is being sold is unknown, and likewise, if ownership cannot be established, then the land cannot be sold, and thus there is no Zakah due on the land.

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The thirty second question of Fatwa no. 19637

Q 32: a group of people bought a commodity at the expense of one of them. Is it permissible to sell their shares in this commodity?

A: Anyone who participates in buying a commodity and has a defined share in it is permitted to sell his share in this commodity as long as they acquired it. This is a selling of what one possesses with a defined price. It is not one of the types of selling cash for cash.

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 15901

Q 1: The Almighty says: (O you who believe (Muslims)! When the call is proclaimed for the Salât (prayer) on Friday (Jumu'ah prayer), come to the remembrance of Allâh [Jumu'ah religious talk (Khutbah) and Salât (prayer)]) **until the end of the verse. The writer of this message asks: Is the trading prohibited in this verse? Or are the believers not obligated to go to the Friday Prayer if they can continue in their transactions?**

A 1: The Almighty's saying: (O you who believe (Muslims)! When the call is proclaimed for the Salât (prayer) on Friday (Jumu'ah prayer), come to the remembrance of Allâh [Jumu'ah religious talk (Khutbah) and Salât (prayer)] and leave off business (and every other thing).)

(Part No. 13; Page No. 102)

means that one should leave transactions and go to listen to the Friday Sermon and perform the Friday Prayer in the Masjid with the Imam. This indicates the prohibition of selling and buying after the second Adhan (call to the prayer) which is called while the Imam is sitting on the pulpit, and the same ruling continues until the end of the prayer, unless there is a necessity pushing the person to buy something, such as buying the water for Wudu' (ablution) or a garment to cover what needs to be covered of the body parts to perform the prayer.

It is Allah from Whom we seek guidance and success, and may Allah send his prayers and peace upon our Prophet Muhammad, upon his family and his companions.

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Fatwa no. 15316

Q: What is the ruling on selling things at the gate of the Mosque, especially before and after the Friday Prayer, since we have some people who sell things at the gate of the Mosque until the Friday Sermon starts and then enter the Mosque? If the merchandise are Siwak (tooth-cleansing sticks) or perfume, then what is the ruling?

A: Selling at gate of the Mosque from outside is permissible, if it is done before the second Adhan (call to the prayer) which is called while the Imam is sitting on the pulpit, but if it is after the second Adhan, then it is not allowed, because Allah [Exalted and Sublime Be He] prohibited it by saying: ﴿O you who believe (Muslims)! When the call is proclaimed for the Salât (prayer) on Friday (Jumu'ah prayer), come to the remembrance of Allâh [Jumu'ah religious talk (Khutbah) and Salât (prayer)] and leave off business (and every other thing).﴾

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It is Allah from Whom we seek guidance and success, and may Allah send His prayers and peace upon our Prophet Muhammad, upon his family and his companions.

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Fatwa no. 13835

Q: Our relatives here in Sudan sell dates and yeast as their main form of trade. They are fully aware that the buyer will use them to make Khamr (intoxicants) and they gain a lot from this trade. What is the Shari`ah ruling on this? Are the profits accrued from this trade lawful? Please guide us. May Allah guide you.

A: If the reality is as you have mentioned, it is not permissible to sell them, for Allah (Exalted be He) says, ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿

(Part No. 13; Page No. 104)

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The first question of Fatwa no. 17853

Q 1: Is it permissible for a Muslim to pick or harvest grapes, which are used for making Khamr (intoxicant) and are not fit for eating? I am talking about a Muslim, who has no other source of income and who receives a small social assistance that is of no avail. Please bear in mind that the season of picking grapes lasts from one to three weeks every year and this Muslim participates only when it is necessary.

A: It is not permissible to sell grapes to those who use them in making Khamr, and it is similarly impermissible to pick or prepare them for those who make Khamr. Allah (Exalted be He) says: ﴾but do not help one another in sin and transgression.﴿ The Prophet (peace be upon him) cursed Khamr, its consumer, its presser, the one for whom it is pressed, its seller, its buyer, the one who benefits from its price, its carrier, and the one to whom it is carried, for they all help one another in sin and transgression.

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May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The third question of Fatwa no. 7539

Q 3: What is the ruling on a pharmacist who sells women's cosmetics, bearing in mind that most of those who use them are women adorning themselves for other than their husbands and disobeying Allah and His Messenger (peace be upon him), may Allah save us?

A: If the reality is as you mentioned, it is not permissible to sell them cosmetics as long as he knows what they do. This falls under helping one another in sin and transgression, which is forbidden by Allah (Exalted be He) in the Qur'an: (but do not help one another in sin and transgression.)

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 6217

Q: My name is Khamis Muhammad Hafizh. I am from Alexandria, Arab Republic of Egypt. I am married and have children. I work in a company for a low salary.

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Due to living circumstances, I have another job to increase my income. i mend, sell and buy gas lighters. Your eminence knows that this profession is surrounded with certain suspicious matters. Some people use these gas lighters for lighting cigarettes. I do not want to receive any unlawful money. These gas lighters are not only confined to lighting cigarettes but they are used for other purposes. Other people, as my mother, brother and others, use these lighters for lighting gas cookers in homes and the like. As I do not know how to distinguish between those who use them in lawful purposes and those who use them in unlawful ones, I asked some of my fellow Muslims about this point. Some of them told me that it is permissible to do so. Others told me to ask your eminence about it. What about the mending tools, lighters and pipes I have? Is it permissible to make use of these things? If these things are unlawful, can we sell them and make use of their price? If this work is permissible, can I keep on working in such a profession?

May Allah reward you the best reward!

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I am currently working in mending and selling gas lighters. Therefore, I would like to receive your answer as soon as possible.

A: It is permissible for you to make, mend or sell gas lighters. If some people use them for unlawful purposes, they will bear the sin of doing so. There is also no blame on you in having tools for mending these lighters. But if there are special lighters for lighting cigarettes, then you will not be permitted to make, mend or sell them.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The third question of Fatwa no. 17600

Q 3: A young man is asking whether it is permissible for him to sell items that are prohibited for women without telling his sister, such as her sports shoes that she wears to go out to play sports with men, or the trousers she wears to go out? He says: "She does these things even after I have advised and my father does not agree with this and has forbidden it for her."

A: It is not permissible for a Muslim to sell things that are prohibited, as it is considered as cooperating in sin, for Allah (Glorified and Exalted be He) says (what means):

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﴾but do not help one another in sin and transgression.﴿ Also, because the Prophet (peace be upon him) said, ﴾"When Allah forbids a thing, He also forbids its price."﴿

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The first question of Fatwa no. 18409

Q 1: What is the ruling on the person who deals in women's clothing especially underwear and tight clothes? Is there any sin on him if the woman goes out while wearing these tight clothes?

A: It is permissible for a person to deal in women's clothing that are permissible for women to wear. However, regarding dealing in women's clothing that are unlawful for them to wear, such as the clothes usually worn by disbelievers, it is not permissible for a Muslim to deal in them. Dealing in such clothing involves cooperation in sin and transgression.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

(Part No. 13; Page No. 109)

Fatwa no. 19852

Q: Please, Your Eminence, advise us concerning the ruling on selling tight trousers worn by women, such as jeans and stretch, outfits that consist of trousers and blouses, high-heel shoes, hair dyes of different colors, especially those for women, transparent clothes known as chiffon, half-sleeve women dresses, and short dresses and skirts.

A: Anything that is probably used in an unlawful way is Haram (prohibited) to make, import, sell and promote among Muslims. This includes what many women wear nowadays, may Allah guide them to what is right, of transparent, tight and revealing clothes. This leads to showing their charms and revealing the contours of their bodies in front of non-Mahrams (not a spouse or an unmarriageable relative). Shaykh-ul-Islam Ibn Taymiyyah (may Allah be merciful with him) said, "It is impermissible to sell any clothes that are probably used in committing a sin. In this case, it is impermissible to sell or make them. Thus, it is Makruh (reprehensible) to sell bread and meat to those who drink Khamr (intoxicants) with it; it is also Makruh to sell basil to those who use it in drinking Khamr. This applies to anything that is originally Mubah (permissible)

(Part No. 13; Page No. 110)

which is known to be used in committing a sin."

Every Muslim trader should fear Allah as He should be feared and advise his Muslim brothers. He should sell only what is beneficial to them, and leave what is harmful to them. Lawful sustenance suffices instead of unlawful sustenance. Allah says, ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ This advice is the ultimate form of Iman (Faith). Allah also says, ﴾The believers, men and women, are Auliyâ' (helpers, supporters, friends, protectors) of one another; they enjoin (on the people) Al-Ma'rûf (i.e. Islâmic Monotheism and all that Islâm orders one to do), and forbid (people) from Al-Munkar (i.e. polytheism and disbelief of all kinds, and all that Islâm has forbidden)﴿ The Prophet (peace be upon him) said, ﴾"Religion is based on advising one another." Upon this we said, "For whom?" He replied, "For Allah, His Book, His Messenger and for the leaders and the general Muslims."﴿ Related by Muslim in his Sahih (authentic) Book of Hadith. Jarir ibn `Abdullah Al-Bajaly (may Allah be pleased with him) said, ﴾I gave the pledge of allegiance to the Messenger of Allah (peace be upon him) on offering Salah (Prayer), paying Zakah and giving advice to every Muslim.﴿ (Its authenticity is agreed upon by Al-Bukhari and Muslim). The intention of Shaykh-ul-Islam in his previously mentioned sentence

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is that it is Makruh to the extent of prohibition. This is also known from other Fatwas (legal opinions issued by a qualified Muslim scholar) that he issued in other contexts.

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The second question of Fatwa no. 14363

Q 2: Many people sell roses at dance clubs and such places. In Western communities a rose is something that is presented by the lover to his beloved. Therefore, a young man offers a rose to a girl to kiss him or to start a relationship with her. Moreover, the girl considers the rose to be a symbol of love. Moreover, there are other problems which face the person who is selling the roses from the side of women who may kiss or hug him to give them a rose or to dance with them. What is the ruling on this matter? May Allah reward you!

A: If the reality is as you have mentioned, then it is not permissible to sell roses due to the unlawful acts that are committed and the evil and corruption to which it leads.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Thirteenth and Fourteenth questions of Fatwa no. 19637

Q 13, 14: Sometimes we obtain goods that contain some musical instruments, smoking tools (water pipes), or vessels used for smoking such as lighters and ashtrays. Should we get rid of these things or are we permitted to sell them? Please provide me with your beneficial answer. May Allah reward you with the best.

Is it permissible to sell embodied or mummified objects (idols) of animals?

A: Selling musical instruments and the tools used for smoking or water pipes and other means of disobedience and Shirk (associating others with Allah in His Divinity or worship) such as idols; whether embodied or mummified animals is Haram (prohibited). This is because whatever is Haram to be benefited from is Haram to be sold and selling these things is considered helping a munkar (that which is unacceptable or disapproved of by Islamic law and muslims of sound intellect) and corruption as well as facilitation to indulge in Bi`ahs (innovations in religion) and Shirk.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 14967

Q: This question is submitted by a benefactor located in Tuhamah Qahtan. He is asking whether the money gained from trading in weapons - whether they are ammunitions or different kinds of

(Part No. 13; Page No. 113)

guns - is Halal (lawful). Is it permissible to accept this money as repayment for a debt or to be used in Mahr (mandatory gift to a bride from her groom)? It should be mentioned here that the authorities ban the trade of weapons as well as trading in forbidden commodities. We wish that your Eminence will give your opinion to notify and spread it among the Muslims. May Allah grant you the best reward for what you do for us and for Muslims!

A: It is not permissible to sell the weapons that have been banned by the authorities based on the saying of Allah (Exalted be He): ﴾O you who believe! Obey Allâh and obey the Messenger (Muhammad صلى الله عليه وسلم), and those of you (Muslims) who are in authority.﴿ The authorities who banned trading in weapons aim at maintaining security and blocking the means that lead to fitnah (sedition). Accordingly, the Committee has decided that selling weapons without the authorities' permission is Haram (forbidden) as well as the money that is gained from this selling. And Allah knows best.

May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 1171

Q: When a commodity is put up for a public auction,

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some bidders evade outbidding against one another. They collude with each other to freeze the price of the commodity without the knowledge of the owner. I would like to know the ruling on that. Is this permissible or not? Is this transaction valid if any of them them obtained the item?

A: it is unlawful for those who are competing in a public auction or the like to collude to freeze the price of a commodity and to close the bidding at a specific price. This practice involves utter selfishness and causes the owner of the commodities to incur losses which are bad deeds that do not befit Muslims. Such behavior is rejected by Islamic Shari`ah. This practice is unlawful exactly like outbidding without purchasing, and going out to buy from caravans in the road (before they reach the markets). Such practices may cause individuals and groups to incur losses and nurture grudges amongst them. They also involve violating people's financial rights. The Prophet (peace be upon him) forbade receiving caravans in the roads (before they come to the markets), a city dweller's sale on behalf of a desert dweller, bidding without purchasing, collusion with the sellers to outbid against Muslims, outbidding against a Muslim after the transactions are concluded, proposing to a woman who is engaged to a Muslim and such practices. They involve wronging, causing harm to others and nurturing grudges between people.

Consequently, if the seller against whom bidders collude to freeze the price at a certain point discovered that he had been deceived in the transaction, he has the right to either cancel the transaction or to accept it.

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Fatwa no. 16791

Q: My question is about al-Muqana`ah (Bidders' collusion to offer a low price) in public auctions. What is the ruling on doing it? Some people go to public auctions for the sale of governmental properties and collude to bid a low price for commodities. After the auction, they sell the commodities to one another and distribute the profits on equal terms. May Allah reward you best!

A: This practice is not permissible because it involves cooperation in committing sin and transgression. Also, the bidders who collude together are guilty of wronging the owner of the commodity for the sake of their own benefit.

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The twenty fourth question of Fatwa no. 19637

Q 24: Sometimes when auctioning commodities, it is noticed that some people gesture in between to stop bidding in order to buy the commodities at a lower price. This gesture

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is meant to tell the other person to stop bidding and that if he lets the first person buy the commodities, he will share them with him. What is the ruling on that? Should the intention, in this case, be made before or during the auction?

A: This behavior is not permissible because it causes harm to the seller and deceives him, which may lead to taking the commodity at a price that is less than its real value. If it is proved that the seller has been deceived and has not been treated in the correct way, he has the option of either continuing with the transaction or canceling it along with taking the commodity back and repaying the price.

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The sixth and seventh questions of Fatwa no. 19637

Q 6,7: Some people used to press the seller in order to sell them a certain commodity under the pretext that this price is its accurate value or this price is more than its value. They may also tell him that this commodity has become old and the like in order to make him sell it at a low price. What is the ruling on doing so?

A: It is not permissible for the buyer to press the seller to sell his commodity under the pretext that it is too old or a certain price is the accurate value of it. One of the conditions of selling is the mutual agreement between the buyer and the seller without any compulsion. Allah (Exalted be He) says,

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﴾O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent.﴿ The Prophet (peace be upon him) said, ﴾Sale transactions should be based on mutual agreement.﴿ (Related by Ibn Majah and Ibn Hiban). If the seller is compelled to sell his commodity, he will have the option either to complete the transaction or to annul it.

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The fifth question of Fatwa no. 19637

Q 5: Some people go to the market to describe the defects of some commodities before the buyers, hoping that they will refrain from buying them and thus their prices would not rise. This would then enable them to buy the commodity for a lower price. What is the ruling on this?

A: Showing the defects of the commodity by one of the buyers to prevent its price from rising and, thus, being able to buy it at a lower price is Haram (prohibited). In fact, this harms other Muslim buyers, whether the commodity has defects or not. The seller should show the buyer any defects in the commodity to be acquitted of blame

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and to avoid deception.

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Third question of Fatwa no. 6856

Q 3: Someone wanted to buy or rent a piece of land but another person interfered and told them that they would buy it. That person only wanted to buy the land in order to sell it to someone other than the former. They are sure that the land will make a good profit if this happens. It may be important to mention that the person who hindered the sale, only paid the price of the land and concluded the contract of sale after he had made sure that the person who entered into the transaction first would buy it for abundant profit.

A: If you entered into the transaction of this land to buy or rent it, the person mentioned in the question knew about this, and the owner inclined to you. It is not permissible for them to buy or rent this land. This is because doing so involves entering into a transaction when one's brother has already entered into it and this was forbidden by the Prophet (peace be upon him). However, if the person mentioned in the question did not know that you had entered into the transaction, and he entered into the transaction before or after the owner had inclined to sell or rent the land to you; it is permissible for him to buy, rent or retain the land.

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The fifth question of Fatwa no. 7551

Q 5: Is bidding the price of commodities permissible in Shari'ah (Islamic law) or not?

A: It is permissible to bid the price of commodities to preserve the seller's right, as long as the seller does not accept, after settlement of the sale price, the outbidding of another bidder, as this is not permissible, in order to protect the right of the person who made an agreed bid. This is what is meant by forbidding outbidding one's brother bid.

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The fourth, twenty ninth and thirtieth questions of Fatwa no. 19637

Q 4: some people attend auctions that are held for the sale of some commodities or goods and outbid for them while they have no intention of buying anything. What is the ruling on them?

A: It is unlawful for someone to outbid for a commodity which he has no intention to buy. This is so because it involves drawing the competitors into deceit because in such case the competitors outbid for the commodity thinking that it is worth paying the high price

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while indeed it is not. This practice is itself the Najash (an illegal transaction in which the buyer is ensnared by artificial outbidding of a fake buyer) which the Messenger of Allah (peace be upon him) prohibited. This is mentioned in a Hadith reported by Ibn `Umar (may Allah be pleased with him) who said: ﴾The Messenger of Allah (peace be upon him) forbade the practice of An-Najash.﴿ It is also reported on the authority of Abu Hurayrah that the Messenger of Allah (peace be upon him) said: ﴾Do not go to meet the caravans on the way (for buying their goods without letting them know the market price); do not urge buyers to cancel their purchases to sell them (your own goods) yourselves, do not bid against one another, and a town dweller should not sell the goods of a desert dweller on behalf of the latter.﴿ Agreed upon by Al-Bukhari and Muslim.

If there is a proof that a transaction involves Najash or the sale involves some kind of deceit which is conventionally refused, then it is up to the purchaser who may either accept it or cancel it because in this case he has the right of Actio empti.

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Q 29, 30 : If a person holds an auction for his own commodities, should he begin the auction with a price which he has fixed or wait till one of the buyers starts the auction?

does the auctioneer have the right to raise the price during the auction, or should he wait till the buyers stop raising it if he wishes to buy it and then he raises the price?

A 29, 30: If the auctioneer who is holding the auction wishes to buy the commodity, there is no harm to begin the auction with his own price

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or raise it during the auction after the offer of one of the bidders, and if none of the bidders outbids. In this case, the auctioneer has the right to take it. However, it is unlawful to start a price or to outbid for something that he does not want to buy or to delude a buyer that its price is higher than this or to stop the overbidding of his Muslim brother and take it at a price lesser than its real value. If the commodity is his, he should not start bidding or overbid it.

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A town dweller selling goods on behalf of a desert dweller and receiving trade caravans

The third question of Fatwa no. 14409

Q 3: What is the ruling on a town dweller selling goods on behalf of a desert dweller? What is the ruling on receiving trade caravans (to buy from them before they reach the market)?

A: It is not permissible for a town dweller to sell goods on behalf of a desert dweller and it is similarly impermissible to receive trade caravans before they arrive at the market with a view to buying their goods at a lower price and then re-selling them in the market at a higher price.

The Messenger of Allah (peace be upon him) said, ("Do not meet the caravans (on the way to buy their goods without letting them know the market price). Also, a town dweller should not sell goods on behalf of a desert dweller.")

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Brokerage

The eighteenth question of Fatwa no. 19637

Q 18: What is the ruling on receiving sellers on the street before they enter the market and buying their goods?

A: It is Haram (prohibited) to receive sellers in the streets before they reach the places prepared for displaying and selling goods, for this takes the same ruling of receiving trade caravans, and this is forbidden. It is mentioned in a Hadith related by Imam Ahmad that the Prophet (peace be upon him) said, ("Do not receive caravans (to buy their goods), (but wait) until they reach the market.")

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(Related by Al-Bukhari in his Sahih Book of authentic Hadith on the authority of `Abdullah ibn `Umar (may Allah be pleased with them both), vol. 4, p. 373) It is also related by Al-Bukhari in his Sahih from Nafi` on the authority of `Abdullah ibn `Umar (may Allah be pleased with them both) who said, ("We used to receive trade caravans and buy foodstuff from them. The Prophet (peace be upon him) forbade us from buying such things until they had reached the market.") In another narration by Nafi` on the authority of `Abdullah (may Allah be pleased with him), ("Some people used to buy foodstuff at the head of the market and used to sell it on the spot. The Messenger of Allah (peace be upon him) forbade them to sell it until they had brought it to (their) places.") In another narration by Muslim, the Messenger of Allah (peace be upon him) said, ("Do not receive the merchants (on the way), but if anyone receives them and buys from them, then the buyer reaches the market (and discovers that they got a lower price), they have the option (to declare the transaction null and void).") Consequently, if merchants do not arrive with the goods at the market prepared to sell them, it is unlawful to receive them and buy the goods. Whoever buys the goods from merchants before they reach the market commits a sin and disobeys Allah (Exalted be He) if he is aware of the prohibition. This act involves deceiving the seller and harming the people of the market. If it is proved that the seller has been deceived and is not treated properly, the seller has the option of either continuing with the transaction or canceling it, as this falls under Khiyar Al-Ghabn (option of deception).

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Fatwa no. 2644

Q: I am an auctioneer. The municipality of Turayf announced the sale of some lands that have gas stations and rest houses on them. I applied for biding the auction. The municipality had stipulated that the buyer would pay my commission, as is the custom. The lands were awarded to some people among fifty bidders - apart from the auction supervising committee members - and they paid the prices. When I received the prices of the lands, the buyers paid me more than the agreed commission on their own. Is this addition lawful? Should I take it or not?

A: If the reality is as you mentioned, there is no harm in taking the additional amount of money, as the buyers paid it out of their good will as a tip for you. But if you favored them and sold them the land while there was a higher price, it would be impermissible to take this addition, as it would be the price of favoring them.

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The first question of Fatwa no. 9909

Q 1: I have a trading office. I work as a deputy and mediator for foreign companies which manufacture ready made garments and food stuffs. These companies sent samples of what they manufacture and the defined prices. i present these commodities to merchants in the market according to the defined price set by the company. I do this in return for an agreed upon commission. Is it permissible for me to receive this commission?

A: If the reality is as you have mentioned, then you will be permitted to receive such commission.

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The second and third questions of Fatwa no. 7520

A broker works in a company which gives him a fixed salary. He is a broker between this company and another one; he buys some machines from this company for a commission. It should be noted that he does not ask for this commission from the employer, but the owner of the company pays it to him.

Is it lawful to take this commission? I appreciate your guidance. May Allah guide you!

A: Since this broker receives a monthly salary from the company in which he works, it is impermissible to take commission from the other company in return for buying some products for the company in which he works. There is a possibility of being unjust with the company in which he works and the price and quality of the product he buys for this company are more likely to be negatively affected.

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Q 3: Is selling by public auction Haram (prohibited)?

A: It is permissible to sell through a public auction; there is nothing wrong with this.

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Fatwa no. 16043

Q: What is the ruling on the so-called tips, commissions, and others that describe the money given by a storeowner to a wage earner in return for the latter buying his needs from the former or bringing clients to his store. I own a paint store and give the painter a commission - whether small or big - whenever he brings me a client.

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It is worth mentioning that this commission does not affect my profits if I sell the commodity directly to the client before adding the commission. For example, if I have a commodity costing ten riyals, I can sell it to the client for twelve riyals. If the client is accompanied by the painter, I sell it for fifteen riyals and give three riyals to the painter as a commission. The reason for this practice is the claim that the wage earner, who does not receive tips or commissions from the storeowner, would not bring clients and this would definitely reduce sales. Also, the wage earner can dissuade the client from buying their needs from a particular store by telling them that the commodity is defective, just because the storeowner does not give tips or commission. This practice is now common in many countries. Another reason for its spread is the claim that the wage earner earns a little from his work and thus wants to make up for this by commission or tips. For example, if the painter is supposed to take a hundred riyals for painting a house, he can paint it for eighty riyals and take the twenty riyals from the storeowner. May you advise us and clear this matter. May Allah guide you and make you a means for clearing the truth and eliminating our ignorance of Din (religion). We hope to receive a general answer so that all parties (the client, the wage earner, and the storeowner) know the ruling on this matter.

A: This practice is impermissible for the following reasons:

First, this practice harms the buyer and does him wrong, since he pays the commission of the wage earner without being aware of that.

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Second, this practice harms the storeowners who do not engage in this bad practice because if they do not give tips or commissions to the wage earner, they would not have clients. Even if they have clients, the wage earner, who receives no tips from them, will dispraise their commodity.

May Allah grant us safety and success.

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The second question of Fatwa no. 18574

Q 2: Some truck owners deliver farm produce to us and then place a condition on us to give them 50 Riyals in order for the company to conduct the bid sale of the produce, i.e., to handle selling the produce they carry. They deduct this sum from the company's commission for conducting the sale. What is the Shari'ah (Islamic law) ruling on this?

A: It is not permissible to give the truck owners the mentioned sum, as they have no right to it. They are employed by the farm owners and giving them this money is a means of deception and shows lack of sincerity to the farmer. It also causes harm to others.

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The first question of Fatwa no. 19373

Q 1: I am a merchant. Someone asked me to buy him a certain commodity. He did not give me money. i bought this commodity he asked for and gave it to him. Should I ask him for the agreed upon price or can I increase the price to more than what I paid for it?

A: You have to tell him the price you paid for this commodity, and you may ask him for an increase in return for the efforts you exerted in buying this commodity.

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The eighth and ninth question of Fatwa no. 19637

Q 8, 9: There has been a lot of arguments about the amount of money to be paid to brokers; sometimes it is 2.5 percent and at other times it is 5 percent. What is the legal percentage (according to Islamic law) to be paid? Or is the amount determined according to an agreement between the seller and the broker?

A: If the broker, the seller and the buyer

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have agreed that the broker will be paid by the buyer, seller, or both of them a fixed sum, then, it is permissible to pay that amount and there is no prescribed legal percentage; as it is determined by the agreement and consent of the parties involved. However, this should be within the framework of what is customary among people, and the broker should be adequately reimbursed for the efforts he exerted to finalize the sale between the buyer and the seller. At the same time, neither the seller nor the buyer should be harmed by increasing the amount higher than the usual rate.

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The third question of Fatwa no. 19912

Q 3: I took a customer to a factory or store to purchase some goods. Accordingly, the factory owner gave me a commission for bringing this customer. Is this money Halal (Lawful) (i.e.the commission)? What if the factory owner increases the price of every item sold to the customer so that I take the difference in price once the customer makes the purchase; is this permissible? If not, what is the lawful commission?

A: It is permissible if the factory owner or merchant pays you a sum of money in return for every item sold through you. This payment is meant to encourage you to exert more effort in bringing more customers. However, the permissibility is conditional; the amount of money paid to you should not increase the price of the item and should not inflict any harm on

others who are selling the same item. The factory owner or merchant should sell the item for the same price as the others. In this case, it is permissible and there is no prohibition.

However, if the money you take from the factory owner or the store increases the price the buyer pays for the item, then it is impermissible for you to take it. This is because the buyer is harmed as the price he has to pay is increased.

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The first and second questions of Fatwa no. 19856

Q 1: A broker used to hold agreements with a farmer about a defined percent for brokering his commodity. This brokerage ranges from 3% to 5%. They deal in matters of selling and buying according to this basis. What is the ruling in this regard?

A: The broker is permitted to receive a reward in a defined percent from the price of the commodity in return for brokerage. He can receive this defined percent from the seller or the buyer as was previously agreed upon without causing oppression or harm.

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Q 2: There is a convention among auctioneers to take half a Riyal for a box or parcel. This money is not added to the bill that is sent. When we questioned the auctioneers in this regard, they said that this is the convention of the market and every auctioneer takes it. Could you please give us a fatwa (legal opinion) regarding this matter.

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May Allah reward you!

A: This is a negative convention which is not permissible because it involves taking more money than one deserves without informing its owner and doing so is completely wrong and unjust.

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`Urbun sale (down payment sale)

Seventh question of Fatwa no. 9388

Q 7: is it permissible for the seller to obtain a `Urbun from the purchaser? If the purchaser withdraws, is it permissible for the seller to keep the `Urbun for themselves and not return it?

A: If the reality is exactly as what is mentioned in the question, it is permissible for the seller to keep the `Urbun for themselves and not to return it to the purchaser provided that both sides agreed on this.

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(Part No. 13; Page No. 133)

The first question of Fatwa no. 17341

Q 1: Your Eminence, I engage in free businesses such as building construction, steel works and so on. These businesses often contain a down payment whether little or much. upon receiving the down payment and after one or two days of concluding the contract, the second party may change his mind whether the work has already begun or before it begins. What is your opinion concerning these matters?

A: It is permissible for the person who stipulates the down-payment to keep it and he is not obliged to repay it to the buyer if the contract is cancelled. This is according to the most preponderant view of the scholars if both parties have agreed on this condition in the contract.

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The second and third questions of Fatwa no. 19637

Q 2, 3: The system of down payment is commonly used in transactions; we pay a part of the total cost of the product to affirm the purchase. As a result, selling the product becomes pending. What is the ruling on this?

Many vendors do not repay the down payment if the total cost of the product is not completely paid. What is the ruling on this?

A: it is permissible to have a down payment; that is when the buyer gives the seller

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or his agent a sum of money that is less than the price of the goods. This should be after the agreement has been made, and this is to guarantee that he will receive the goods and that no one else will take them. When the goods are delivered, this down payment is to be regarded as part of the price. If the buyer does not take the goods, then the vendor may take the down payment and keep it. This transaction is valid, whether or not he stipulates a time for payment of the rest of the price. The vendor has the right to ask the purchaser to pay the rest of the price once the transaction has been completed and the goods have been handed over. The permissibility of down payment sale is indicated by the fact that `Umar ibn Al-Khattab (may Allah be pleased with him) did that. Imam Ahmad said that there is nothing wrong with down payments. Moreover, it was narrated that Ibn `Umar (may Allah be pleased with them both) regarded it as permissible. Sa`id ibn Al-Musayyib and Ibn Sireen said: There is nothing wrong in returning the product if the person does not like it and giving something with it. There is a Hadith that was narrated from the Prophet (peace be upon him) saying that (Down payment sale is forbidden) , however, this is a Da`if (weak) Hadith which was classified as such by Imam Ahmad and others, and it cannot be taken as evidence.

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The second question of Fatwa no. 19947

Q 2: i work in the postal service and i sell stamps. What is the ruling on selling stamps for more than their actual price?

It is not permissible for a person who is working in the post office to sell stamps with a price that is more than its actual price. He has to sell it according to the price written on the stamps without any increase or decrease. He is considered to be a trustee for doing that. Selling it for a price more than the price written on it is a betrayal of the trust he was given.

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`Inah Sale

The third question of Fatwa no. 4104

Q 3: If I sell a car to a person in installments, given that this increases its price, and then he asked me to buy it from him for less than the price I sold it to him for, what is the ruling on this?

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A: This is called `Inah sale (sale with immediate cash repurchase for profit). It is Haram (prohibited), according to the Shar`y (Islamic legal) evidence on its prohibition.

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Third question of Fatwa no. 9397

Q 3: Could you please give me a Fatwa regarding the following Hadith: The Messenger of Allah (peace be upon him) said: (When you enter into the 'inah transaction, hold the tails of oxen, are pleased with agriculture, and give up performing Jihad (fighting/striving in the Cause of Allah), Allah (may He be Exalted) will make disgrace prevail over you, and will not withdraw it until you return to your original religion.)

A: This Hadith is related by Ahmad and Abu Dawud and the above mentioned wording is that of the latter. however, `Inah is a sale where the price is postponed but with immediate cash repurchase for profit. 'Holding the tails of oxen and being pleased with agriculture' refers to being busy with

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cultivation. This means being busy with cultivation at a time when Jihad is an individual obligation. On the other hand, 'giving up performing jihad' refers to the obligatory Jihad against the enemies of Islam. Moreover, 'disgrace' signifies indigence and lowness. Finally, 'until you return to your original religion' implies eloquent reproof and a strong threat for whoever busies themselves with cultivation so that they abandon Jihad and the same applies to those who indulge in Haram (prohibited) transactions.

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Fatwa no. 13837

Q: I bought a new car and kept it for a week. Now, one of my colleagues wants to buy it, so I sold it to him for 35,000 Riyals; 5,000 Riyals in advance and 5,000 Riyahs will be paid after two months beginning from the date of purchase. Afterwards, he has to pay the rest in monthly installments; the amount of each installment is 1,500 Riyals until the whole amount is settled. It is worthy to mention that the price of purchasing the car was 28,300 Riyals. The buyer wants to sell it for cash as he is suffering from certain circumstances. So, he offered it to me and I refused. Then, he offered it to my colleagues before taking it to the car fair on Thursday. It should be noted that according to official documents the car is still in my name.

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I sold it to him and I have no desire to take it back and we have no agreement between us to take it back. Since he wants to sell it, do I have the right to buy it? Could you kindly advise me in this regard? May Allah reward you! It is worth mentioning here that he has had the car for twenty days.

A: If the situation is as you have mentioned, then you have no right to buy it except with a price that is equal to its real price or more. Purchasing it at a lower price is a usurious dealing which is the same as `Inah sale (sale with immediate cash repurchase for profit).

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The second question of Fatwa no. 6882

Q 2: A person bought five camels for 75,000 Riyals on credit, and then he sold them for 40,000 Riyals. Their original owner bought them once again for 42,000 Riyals. Are these transactions legal?

A: If the case is as you mentioned, and there are no tricks involved to deal in Riba (usury), there is no harm in these transactions.

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The second question of Fatwa no. 19297

Q 2: if a person buys a certain commodity such as a car and uses it for a period of time, then intends to sell it, can he sell it to its original owner?

A: If a person pays the whole value of the car to the seller, he is permitted to sell it again to the person who sold it to him provided that there is no previous agreement to do that.

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Fatwa no. 18864

Q: I sold a car to someone for 20,000 Riyals on monthly installments. Every installment was 2,000 Riyals. I met the buyer three months later. After deliberations, we agreed to buy the same car in return for 15,000 Riyals paid in cash.

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Moreover, he is still paying the installments. We did not agree in advance to buy this car again in a cash payment. What is the ruling in this regard?

A: You are not permitted to buy the commodity you sold with a postponed price in return for a price which is lower than the price you have received for it. This is called `Inah sale (sale with immediate cash repurchase for profit) that was prohibited and warned against it in the Hadith. Therefore, you have to avoid such transaction.

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Fatwa no. 19575

Q: Your Eminence, I bought a used Jeep from the Toyota company. I agreed to pay them SR 110,000 by installments. The car had a three-month guarantee. However, a month after I bought the car and transferred it to my ownership, I found that it was defective, namely the heat increases quickly in the car. I sent it back to the company to repair it and they sent it to their service department in Jeddah and Al-Ta'if for maintenance but it was not repaired. Eventually, they told me I had two options, either to take another car of the same brand or to give it back to them

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in return for the value of the car's cash price, that is SR 96,000. I also had to continue paying the installments.

I paid them around SR 49,000 as a deposit and they gave me SR 96,000 later. So, I owed them SR 47,000. I could not pay them the SR 47,000 in cash so I paid by installments. The total interest on the installments I owed them was SR 13,000 added to the SR 47,000. The total debt I owe them is SR 60,000 which I have to pay by installments over 36 months.

Your Eminence, I would like to know if this transaction is a usurious transaction. May Allah reward you best!

A: The mentioned transaction is called `Inah Bay` (a sale with immediate cash repurchase for profit), which is considered unlawful in the Sunnah. Accordingly, it is an invalid transaction. The price is unlawful for them to take, the car is rightfully yours and it is up to you to give it back to them while being defective or sell it to someone else. If you have any disputes you should resort to the court for settlement and the court should settle everything, Allah Willing.

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The first question of Fatwa no. 10635

Q 1: a man gave his brother a car as a present, then the person to whom the car was given wanted to sell it. Is it permissible for the person who gave it to buy it again?

A: It is not permissible for the person who gave the gift to buy what he had given to his brother. `Umar (may Allah be pleased with him) narrated that: I donated a horse in the path of Allah. Its owner made it languish. I thought that he would sell it at a cheap price. I asked Allah's Messenger (peace be upon him) about it, whereupon he said: (Do not buy it and do not take back your charity, for one who takes back a charity is like a dog which swallows its vomit.) Agreed upon by Al-Bukhari and Muslim.

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The seventh question of Fatwa no. 6362

Q 7: someone sold a piece of land to another person for 50,000 Riyals which was to be paid within a year. Many years later, the buyer who did not pay this amount wants to sell it back to the seller for 30,000 Riyals, and then pay the remaining amount later. Is this permissible? Is it regarded as the forbidden `Inah sale (sale with immediate cash repurchase for profit)?

A: This is permissible and is not regarded as `Inah sale.

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Fatwa no. 20137

Q: Two years ago, I sold some sheep to a man on the condition that I was to receive from him 60 thousand Riyals in the first year, and the rest was to be paid in the second year. Now, after 20 months have passed, he has not yet paid me the money and he still has possession of the sheep. To help him, I agreed to my take back my sheep after consulting your Eminence, given that the market price of the sheep is approximately equal to 600 Riyals per sheep, and that I will take them for 900 Riyals per sheep. I hope of your Eminence will explain the ruling on this matter for me. Please accept my full respect and appreciation.

A: There is no harm in repurchasing the sheep which you had previously sold to him,

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and he was unable to pay for them. The purchase price should be according to that which you both agree on. The value of the sheep is to be calculated according to the amount the seller owes you. This is not prohibited as long as the price for which you bought the sheep is equal to the price for which you had sold it or more.

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Fatwa no 6855

Q: There is a petrol and laundry station in Abha in `Asir by the main road that was presented in a public auction. I was one of the bidders and I bought it for thirty-two thousand Riyals; bearing in mind that it was estimated at three hundred thousand Riyals. Later on, some brothers told me that the foregoing is Riba (usury). Thus, I refer the matter to your Eminence to explain for me whether it is permissible for me to buy this petrol and laundry station? It may be important to mention that I made it a condition that the committee should give me the right of withdrawal if this deal is not permissible for me according to Shari`ah (Islamic law). Nevertheless, the committee recently excused itself from this commitment under the pretense that even though such a condition is permissible for me from the disciplinary viewpoint; it implies a trick on Allah (Exalted be He). Please provide me with your beneficial answer. May Allah protect you.

A: If the reality is exactly as what is mentioned in the question, this is not a usurious contract. Rather, it is a contract of sale and is far from all forms of Riba.

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Fatwa no. 19345

Q: there is a merchant who sells food products, and when he sells one piece at a certain price, he sells the collection at a lesser price. Then he sells a larger group at a price that is lesser than the two. This happens at the same time without changing the kind of commodity. This merchant gives commodities to another merchant at a higher price than the current price in return for deferring the due time of its value (price). What is the ruling on these different sales? May a merchant deal with people with two faces and differentiate in how he treats Muslims? Is his way of selling on credit lawful? I appreciate your guidance. May Allah reward you!

A: The dealings you mentioned are permissible and there is no harm in them.

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selling by installments

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Fatwa no. 1178

Q: I have a sum of money that I invest in buying cars for cash and selling them in installments. The price of the car may be nine thousand riyals. I sell this car in return for fourteen thousand or ten thousand riyals in installments. Moreover, I receive two or three thousand riyals in advance. I do not know the ruling on such transaction. Is it a kind of Riba (usury/interest)? What about previous transactions? I have dealt in such transactions for two years.

Allah has permitted trading and prohibited Riba (usury/interest). Allah (Exalted be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ One of the lawful transactions is selling in installments. This is denoted by Allah's saying: ﴾O you who believe! When you contract a debt for a fixed period, write it down. Let a scribe write it down in justice between you. Let not the scribe refuse to write as Allâh has taught him﴿

Al-Qurtuby said in his exegesis of this Ayah (verse of the Qur'an): "This Ayah includes all debts and postponed payments according to the consensus of scholars." It was reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of `Aishah (may Allah be pleased with her) that Barirah was sold by her owners in return for nine Uqiyyahs (40 Dirhams of silver = 119 grams) in installments, one Uqiyyah every year. The Prophet (peace be upon him) approved of such a transaction. Therefore, it is evident that dealing in the way mentioned by the questioner

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is permissible according to the above-mentioned proofs.

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The fourth question of Fatwa no. 1528

Q 4: A person may have products to sell, such as bread, sugar, paint materials, or cattle, which cost a hundred riyals and he wants to sell them to a debtor for 130 riyals, for example, due to be paid after a specified period of time, usually a year. However, the debtor may not be able to pay off the debt for a year or two; is this prohibited? Also, if the debtor buys a product from a warehouse or a store; is he allowed to sell it inside the warehouse or the store after checking and receiving it, or should they take it elsewhere before he is allowed to sell it?

A: A person is permitted to sell a product, such as foodstuffs or other commodities, and demand payment at a fixed time, even for a higher price because of deferring the payment date. The debtor, on the other hand, should pay off his debt at the fixed time, because of the general meaning of the following Ayah (Qur'anic verse) in which Allah (Exalted be He) says: ﴾then if one of you entrust the other, let the one who is entrusted discharge his trust (faithfully), and let him be afraid of Allâh, his Lord.﴿ It was authentically reported that the Prophet (peace be upon him) said: ﴾Whoever takes the money of the people with the intention of repaying it, Allah will repay it on their behalf; and whoever takes it in order to spoil it, then Allah will spoil them.﴿

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If someone buys a product from a warehouse or a store, for example, and checks it, they are not allowed to sell it in the same place where they bought it even after checking it, because this is not considered a receipt of the sold product. Rather, they should possess it and move it to another place. The evidence is the following Hadith reported by Ahmad (may Allah be merciful with him) on the authority of Hakim ibn Hizam, who said: ﴾I said, "O Messenger of Allah! I make some transactions, which of them is lawful for me and which is unlawful?" The Prophet (peace be upon him) replied: "If you buy something, do not sell it until you have it fully in your possession."﴿ Moreover, it was related by Ahmad and Abu Dawud on the authority of Zayd ibn Thabit who said: ﴾The Prophet (peace be upon him) forbade the selling of goods where they were bought until merchants moved them to their own place.﴿ It was also related by Ahmad and Muslim on the authority of Jabir (may Allah be pleased with him) who reported that the Prophet (peace be upon him) said: ﴾When you purchase food, do not sell it until you have taken possession of it.﴿

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In another narration, Muslim reported that the Prophet (peace be upon him) said: ﴾Whoever buys food should not sell it, until they have weighed it (and then taken possession of it).﴿

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The first question of Fatwa no. 1638

Q 1: A man wanted to marry, but he did not have enough money. He went to a trader who told him, "I am going to sell you a car for 17,000 Saudi Riyals on credit, and you should pay them in cash by the end of the year." Is this Halal (lawful) or Haram (prohibited)? Is it considered Riba (usury), given that the value of the car in cash is only 10,500 Saudi Riyals?

A: If the case is as you mentioned, that a person bought a car from another one on credit for more than its price in cash, and the buyer sold it to whom they want, besides the person who sold it, this is not considered Riba, but is a valid sale contract. However, if that person buys a car from

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another person, so that they can return it for a lesser price in cash, this is considered selling a currency for another, which is Riba prohibited by Allah and His Messenger (peace be upon him). The contract of selling the car in this case is void, as it is meant to perform a trick to deal in Riba and get money through this trick. The same applies to the case of a person who sells the car to another person who is affiliated to its original owner; they agreed to sell the car to that person so that it returns to its original owner. All this is considered trickery and dealing in Riba.

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Fatwa no. 2020

Q: a man asks his friend to buy a car for him in cash, then he sells it to him for a deferred payment with extra money as a profit. In other words, when he buys the car for 1,000 Riyals in cash, he sells it back to his friend for say 1,100 Riyals for a specified term. Is this regarded as Riba (usury/interest)? Would you please clarify the statement of Imam Malik (may Allah be merciful with him) that he was informed that the Messenger of Allah (peace be upon him) forbade two sales in one? In addition, please tell us about some other kinds that fall into the category of forbidden sales.

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A: If a person asks someone to buy a specific car for him or a car that meets certain requirements that he stipulates, and promises to buy it from him, and he buys it from the one whom he asked to do that and takes possession of it, it is permissible for the one who asks for it to buy it from him after it is paid in cash or by installments with a specific amount of extra money as profit. This is not a form of selling what one does not have, because the one who is asking for this product is selling it to the one who asked for it. This is done after buying it and taking possession of it. He does not have the right to sell it to his friend, for example, before he buys it, or after he buys it and before he takes possession of it, because the Prophet (peace be upon him) forbade selling goods until the merchant takes possession of them.

With regard to the Hadith of the Prophet in which he forbade two sales in one, the Jumhur (dominant majority of scholars) are of the opinion that it means that the seller says to the buyer, "I sell you this commodity for 10 Dirhams in cash or for 15 Dirhams which should be paid within, say a year". Another case is where the seller may say, "I sell you one of the two cows for say, 1,000 Riyals." Once the buyer shows his acceptance, they part without agreeing on the method of payment whether it is cash or deferred as is in the first case, and without agreeing on which cow should be sold as is in the second case. This kind of transaction is forbidden because the method of payment was not decided and accordingly, as in the first case, an agreement was not made about the commodity as in the second case.

Moreover, the Jumhur said that this ruling applies to the person who says to someone else, "I sell you

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my house for such and such, providing that you sell me your house for such and such, or you work for me for a month and be paid such and such, or I marry your daughter for such and such, or you marry my daughter for such and such. All these kinds of transactions are not valid as they imply conducting two transactions in one which was forbidden by the Prophet (peace be upon him). `Inah sale (sale with immediate cash repurchase for profit) is also regarded as an example of conducting two transactions in one.

It will be better for you to read the book entitled Al-Mughny written by Ibn Qudamah (may Allah be merciful with him) concerning this issue and the commentary written by Ibn Al-Qayyim on the Hadith of the Prophet (peace be upon him) in which he forbade conducting two sales in one in the books

Tahdhib Al-Sunnan and I`lam Al-Mowqi`in.

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Fatwa no. 2805

Q: A person from the US is asking about those who sell cars in installments, and about the deferred sum with fixed interest, which increases due to delaying the installment in its due term. Is this dealing permissible?

A: If the person who sells a car is selling it for a fixed price and for a definite term or terms in installments which do not increase the price,

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then there is no harm in this. This is based on the saying of Allah (may He be Exalted and Praised): ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ It has been authentically reported that the Messenger of Allah (peace be upon him) bought on a fixed term. However, if the deferred sum -as stated in the question- increases due to delaying the payment in its due term, then it is not permissible according to the Ijma` (consensus of scholars). In this case, it will be like usury that was practiced in the pre-Islamic period for which the Qur'an was revealed. It is like the saying of the creditor to the debtor when the time of payment comes: Either pay or I will increase the sum.

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Fatwa no. 4170

Q: I am a commodity trader. I became insolvent. One of my friends gave me a great sum of money to trade with. At the end of every month, I give him a sum of money instead of his money. Is it permissible to do that?

A: If you intend to buy a commodity from him in return for a deferred payment at an appointed time

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through paying it in installments according to your agreement at the time of the contract, then this type of transaction is permissible. sale in installments is permissible in Islam. Allah (Exalted be He) said, ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ It was authentically reported that the Prophet (peace be upon him) bought a commodity with a deferred payment.

But if you intend to receive money from him to trade with and you give him a sum of money on a monthly basis in return for keeping this money with you, this will be prohibited as it is a kind of Riba that was forbidden in texts of Qur'an and Sunnah.

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The second question of Fatwa no. 4910

Q 2: A man bought a car in installments, as he was unable to pay its price in cash. The car agency demanded him to pay car insurance. Respected Shaykh, what is your ruling on paying this insurance and other types of insurance such as life insurance?

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A: It is permissible to buy a car in installments; if the car and the price are agreed upon as well as the amount of each installment and its due date of payment are fixed. As for paying car insurance, this is Haram (prohibited). In the same way, insurance on life, organs, merchandise and all types of commercial insurance are Haram, as this involves Gharar (fraudulent transaction where details about the sold item are unknown or uncertain), gambling and taking people's money unjustly.

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The first question of Fatwa no. 16384

Q 1: I agreed with someone to buy a car for him. I told him that its price in the agency is 50,000 riyals and that I would take 60,000 riyals if I got it for him. Is this lawful?

A: There is no problem in selling the car or any other commodity after you have bought it and kept it in your possession. You can sell it for an instant payment or for a higher deferred payment, whether by installments or not. Allah (Exalted be He) says: ﴾whereas Allâh has permitted trading﴿

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and: ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ This includes deferred payment.

Selling a commodity for someone before buying or even possessing it is not permissible, for Prophetic Hadiths in this respect, including one related on the authority of Zayd ibn Thabit (may Allah be pleased with him) that he said, ﴾"The Messenger of Allah (peace be upon him) forbade selling the goods at the place where they are bought until traders took them to their dwellings."﴿ The Prophet (peace be upon him) also said, ﴾"Anyone who buys foodstuff should not sell it until they have totally taken possession of it."﴿ He (peace be upon him) further said, ﴾"Do not sell what you do not possess."﴿ Ibn `Umar (may Allah be pleased with them both) said, ﴾"We used to buy food in a lump, so the Messenger of Allah (peace be upon him) would send us someone to forbid us from selling it until we had transferred it to our dwellings."﴿

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The first question of Fatwa no. 19209

Q 1: What is the ruling on delaying the payment of the price and delivering the goods after the sale is concluded?

A: Delaying the payment of the price and delivering the goods if the article is present and known, such as a house, a car or the like, which has been described beyond any misconception at the time of concluding the sale, is permissible unless the article is liable to Riba (usury). If this is the case, the exchange should be on the spot. It is related on the authority of `Ubadah ibn Al-Samit (may Allah be pleased with him) that the Prophet (peace be upon him) said, ("Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish as long as payment is made hand to hand.") (Related by Muslim in his Sahih (authentic book of Hadith) Muslim)

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The second question of Fatwa no. 16103

Q 2: A student of religious knowledge needs books on Tawhid (monotheism), Fiqh (Islamic jurisprudence), Sirah (the Prophet's biography) but he does not have enough money to buy them. Is it permissible for him to buy these books by installments, given that he will buy them at a higher price compared to their cash price? It should be noted that the student who needs these books is a poor person and needs to study religious knowledge.

A: It is permissible for the person to buy books by installments like any other commodity, if the terms of the installments and their amounts are determined for a specific period of time.

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The eighth question of Fatwa no. 16402

Q 8: What is the difference between paying by installments and Tawarruq?

A: Installment sale is to sell a commodity with a deferred price that is to be paid by installments; whereas, Tawarruq is to buy a commodity with a deferred price to sell it in the market to someone other than the creditor and to benefit from its price. When the term is due, the person should pay its creditor the deferred price with which he bought the commodity. Paying by installments is permissible and saying that it is impermissible is a weak and unsubstantiated view. There is a disagreement about Tawarruq and the soundest view is that it is permissible.

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Third question of Fatwa no. 19297

Q 3: Please enlighten us regarding the Tawarruq transaction; what is it and what is the ruling on it?

A: the tawarruq transaction is to buy a commodity with a postponed price after which the purchaser sells the product to a third party in cash and benefits from its price. This is a permissible transaction according to the Jumhur (dominant majority of scholars).

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Fatwa no. 16747

Q: A- We sell cars in installment. We agree with the buyer to sell him the car in return for a certain sum of money if he pays in installments. He pays a sum of money in advance and the rest is registered in bills to be paid in monthly installments. The buyer, sometimes, agrees with us that he will pay nothing in advance and will pay it after selling the car to another merchant instead. What is the ruling on this transaction?

B- We sell cars in installments to the buyer. After finishing the payment-in-installments measures, he sells it to another merchant away from the exhibition. This merchant sells it to another person after gaining a profit. Can we buy this car again after being passed to another buyer if there is no previous agreement in this regard?

C- Some buyers who pay in installments prefer to remain anonymous. They ask us to sell the car in cash on their behalf. Can we sell the car on their behalf to another person away from the members of the exhibition?

A: After studying the question mentioned above, the answer of the committee is as follows:

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The first passage of the question asks about the ruling on selling a car by installments by paying the first portion immediately. The rest of the installments will be deferred. Then the buyer sells it to another person and then pays the first installment from its value. Then he will pay the rest of the installments in their due times. This kind of transaction is permissible. But you are not permitted to hold a contract with the buyer before acquiring the car from the one who sells it to you.

As for the question that says: "What is the ruling on buying a commodity from someone other than the person who buys it from you in a deferred payment?", it is a permissible transaction if there is no agreement in advance for this.

The third passage of the question talks about the ruling on being a deputy in selling a commodity for a person who buys it from you in a deferred payment. This kind of transaction is permissible if the buyer acquires the commodity completely from you after buying it. And Allah knows best.

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Fatwa no. 16609

Q: We have a large agricultural company that supplies agricultural material such as fertilizers, seeds and farm machinery. We sell these commodities on credit to the farmers. The price of the commodities is due 120 days after the date of delivery. Recently, our clients; companies and farmers, failed to pay our company's financial dues for various reasons. Sometimes, clients delay their payments for double the due time, which causes the company to incur many losses. Moreover, in this way the company is forced to delay the payments for those who export the commodities, and they in turn instantly fine the company if any delay in payments occurs. To avoid any such losses which affect the company's financial situation and potential for development, the company is considering the implementation of a credit sale and would like to know about its legal ruling in light of the following:

First, the company will specify a timescale for prices. For example, after 3 months, the price of a specific commodity is 100 Riyals, after 4 months 110 Riyals and after 5 months 120 Riyals. This will be specified to clients in the credit sale contract and the due price will be specified according to the time of payment.

Second, to avoid problems related to a delay in payment, is it permissible for the company to specify a certain price for a credit sale of the commodity for example, 100 Riyals

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to be paid after 12 months, provided that the company mentions in the contract that if the client pays during the first 6 months after receiving the commodities, he will have a discount or the price will be lowered to 90 Riyals?

A: There is no harm in selling a commodity by credit sale at a higher price than the cash price; however, the price must be specified in the beginning and the time span should also be specified when concluding the contract. If the company specifies different schemes for payment in a single transaction, and none of these payment schemes is chosen when concluding the contract, the transaction is invalid because the time span is not specified in the contract. Moreover, it is similar to Riba (usury) of the Pre-Islamic period because people at this time used to increase the rate of interest if the purchaser failed to pay the first payment.

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The first question of Fatwa no. 15930

Q 1: We have a place where household appliances are exchanged, so you can exchange an old refrigerator or washing machine for new ones and pay the difference in price. What is the ruling on this?

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A: There is no harm in exchanging old household appliances for new ones along with an increment paid by the owner of the old appliances due to the difference between the value of both types. This is a sale that Allah (Exalted be He) has made lawful, and it involves no prohibition. This is so, as long as the exchange is not bound by any conditions.

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Fatwa no. 17354

Q: I am an employee and I want to build a house. When I asked al-Rajhy Company to finance the project with materials, the agent of the company said: We are ready to do that but I, as the owner of the building, should go to those who sell the commodities to give me a fixed price for all the necessary materials which Al-Rajhy will take in the form of bills. The material will be supplied according to my request and with the knowledge of the agent of Al-Rajhy Company. For your information, the materials are as follows: blocks of iron, concrete, cement, sanitary ware and electric materials. Al-Rajhy Company does not own these things but they say that they will possess them in this way. They claim that the board of Al-Rajhy issued a Fatwa that this is permissible. What is your opinion about this? We appreciate your guidance.

A: If the shops sell the materials to

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Al-Rajhy Company and this company holds them and then re-sells them, there is no harm. However, if you take the materials from these shops and Al-Rajhy Company pays the value for you, then it takes it back from you with an increase, this is unlawful because it is a loan with the condition of increase and this is usury. Allah (Exalted be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ The Prophet (peace be upon him) said: ﴾Allah has cursed the one who takes usury, the one who gives it, its witnesses and the one who writes it.﴿

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Fatwa no. 17441

Q: Someone car dealers sell cars in installments. They sell a car in monthly installments for a total sum of, for instance, fifty thousand riyals, on the agreement that this will be paid as one thousand and five hundreds riyal per month. However, a purchaser may tell such a seller "I am ready to give you the rest of the money that I owe you now; but how much is the discount you will give me for this?" It is worth mentioning that this practice is widespread amongst most of the dealers who work in the same field.

We hope that you provide the questioner mentioned above with your beneficial answer. Also, what is the ruling in case that

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the purchaser tells the seller that the former is going to pay the latter all the due money, without conditioning or requesting any discount, but then the seller tells the purchaser that a discount of three thousand riyal will be given to them. We hope you provide us with your beneficial answer regarding the foregoing question. May Allah safeguard you and guide you to all goodness. May Allah's Peace, Mercy, and Blessings be upon you!

A: The case which is mentioned in the question is known to Fuqaha' (Muslim jurists) as the issue of Da` wa ta`ajjal (deduction of one part of the price against immediate payment). Scholars have disagreed regarding the permissibility of such a practice. The most proper opinion is that the deduction of one part of the price against immediate payment is permissible. This is according to a narration from Imam Ahmad. Moreover, it is the preferred opinion of the two Shaykhs Ibn Taymiyyah and Ibn Al-Qayyim and it is ascribed to Ibn `Abbas (may Allah be pleased with them both).

We will quote here Ibn Al-Qayyim (may Allah be merciful with him) who said, while justifying the permissibility of the concerned issue: "Because this is the opposite of Riba (usury/interest) for the latter involves an increase in one of the two returns against a respite. On the contrary, the deduction of one part of the price against immediate payment involves the discharge of the purchaser from some of the price against decreasing the respite. Thus, some of the price is decreased against the decrease of some of the respite and this entails a benefit for both the purchaser and the seller. No Riba is thus involved as far as reality, language, and `Urf (custom) are concerned. Riba is an increase and there is no increase in case of the deduction of one part of the price against immediate payment. Those who considered it Haram (unlawful) drew a Qiyas (analogy) between it and Riba though the difference between saying: "You have either to apply Riba or to pay the due money" and saying: "give me immediate payment and I will grant you one hundred", what a big difference between the two sayings! Consequently, there is no Nas (Islamic text from the Qur'an or the Sunnah), Ijma` (consensus of scholars), or valid Qiyas for the prohibition of the deduction of one part of the price against immediate payment."

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payment of debts

Second question of Fatwa no. 2235

Q 2: What is the ruling on an indebted person who wants to repay his debts but is unable to find the creditors as some of them died, some migrated outside the country and did not come back, and some they can not recall or identify?

A: People's rights should be returned to them. Thus, if a person is indebted he should exert every effort to repay the debt to them or to their inheritors if they died. However, if they are unable to deliver the debt to the inheritors or to the creditor because the latter migrated to another country that they do not know or he does not know their address, or he has entirely forgotten the creditor's name; he should pay the money in Sadaqah (voluntary charity) on behalf of the creditor. If the creditor appears at a later time, he should be told about what was done with his money. He may be content with paying the money in Sadaqah or his money should be paid to him and the reward of the Sadaqah will be, In sha'a-Allah (if Allah wills), for the indebted person who will not be otherwise discharged.

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The second question of Fatwa no. 1894

Q 2: A Yemeni man had a shop near my house, and I used to buy things from him on credit. I paid my debt, but there is forty Riyals I still owe him. He moved, and I do not know his address or the address of any of his relatives. What should I do with this money?

A: This sum of money is a debt you owe. As the people of Yemen frequent Saudi Arabia a lot, you might meet this man one day. If you lose hope in meeting him or knowing his address, you should pay this sum of money as a Sadaqah (voluntary charity) on his behalf. If he appears later, you should tell him about it. If he accepts it, it will be fine. Otherwise, you should give him the money and the reward will be yours.

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procrastination in repaying debts

The second question of Fatwa no. 8859

Q 12: What is the ruling on a wealthy person who procrastinates in paying his debts? Please advise.

A: It is impermissible for a wealthy person who can afford to pay his debts to procrastinate in paying them, as it was authentically reported from Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said, (Procrastination in paying debts by a wealthy man is injustice. When one of you is referred for payment to a wealthy man, let them be referred.) Agreed upon its authenticity by Al-Bukhari and Muslim.

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The sixteenth question of Fatwa no. 19637

Q 16: What is the ruling on procrastination in paying debts?

A: Whoever is able to pay his debt, it is prohibited for him to procrastinate in paying it when its time is due. This is based on the Hadith that was narrated by Abu Hurayrah (may Allah be pleased with him) that the Prophet (peace be upon him) said: ﴾Procrastination (delay) in paying debts by a wealthy man is injustice. So, if your debt is transferred from your debtor to a rich debtor, you should agree.﴿ Agreed upon by Al-Bukhari and Muslim.

Therefore, if a person is in debt, he should hasten to settle his debts to give people their rights and he should fear Allah (Exalted be He) before death comes while he is still indebted.

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The second question of Fatwa no. 19693

Q 2: One of my neighbors told me that he married a wealthy woman whose husband had left her huge wealth earned through bribery and Riba (usury). When that man died and she married my neighbor, she asked him to use her money in lawful trade. When he refused, she gave him two choices: either to engage in trade or divorce her. Given that her money is unlawful, what should he do?

A: the money earned through unlawful ways, such as bribery and Riba,

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is considered unlawful. It is impermissible for a Muslim to use it or trade with it. Allah is the one who guides to the straight path.

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The first and second questions of Fatwa no. 19873

Q 1 and 2: Is it permissible for a Muslim to buy Halal (lawful) meat from places that also sell Haram (unlawful) meat, even if each type is stored and packed in its own warehouse and refrigerator?

Similarly, is it permissible to buy Halal foodstuff from a grand store that also sells Khamr (intoxicant) in another corner, bearing in mind that the store is owned by a non-Muslim?

A: Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ Thus, it is not permissible for a Muslim to help anyone in sin, transgression and violation of Allah's Sanctities. If a Muslim is able to seek the stores that only sell what is Halal

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and abstain from those selling what is Haram, such as pork and the like, it is better to buy from them and not from those who sell Halal as well as Haram goods. However, if a Muslim is unable to find a Halal store, it is permissible to buy Halal meat and foodstuff from any store as long as both foods are kept separately. Allah says (Exalted be He): ﴾So keep your duty to Allâh and fear Him as much as you can﴿

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Repaying a debt with the currency value at the time of sale

Fatwa no. 3065

Q: I bought meat from a butcher for six faransi (French) riyals a long time ago. The faransi riyal at that time was equal to 35 Yemeni riyals while now it equals 135 Yemeni riyals. The butcher asked me to repay him according to the latest rate. Should I repay him according to the old or recent rate? Appreciate your guidance, may Allah guide you.

A: If the reality is as you mentioned, you should pay your friend

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silver faransi (French) riyals or their value at the time of repayment and not at the time of sale.

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Fatwa no. 3689

Q: I am indebted with 500 dirhams [a dirham of silver equals 2.975 grams of silver] and I cannot settle my debt. I know that Allah forgives the sins of anyone who repents to Him, except if the sin involves a right to another human being, in which case repentance alone is not enough and the indebted person's soul may not be freed until the debt is repaid. What is the ruling on this matter?

A: You will remain indebted until you are able to settle your debt, and try to be keen on settling it.

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The second question of Fatwa no. 13376

Q 2: Somebody took a loan from somebody else, who intended not to pay back the debt. However, after Allah had guided him, he looked for the creditor to give him back his money but he could not find him; what should he do?

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Somebody took loans from many people. The debtor wants to pay their debts back to the creditors. Nevertheless, the debtor does not recall who they are; what should they do?

A: Firstly: They have to pay the debt back to the creditor in case they can be found. Otherwise, in case the creditor died, the debt is to be delivered to their inheritors. Besides, the debtor should make Tawbah (repentance to Allah) and Istighfar (seeking forgiveness from Allah) for what happened.

Secondly: They have to do their best to identify the creditors then they should give their money back to them or to their inheritors in case the creditors have died.

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Fatwa no. 12968

Q: I sold a car to someone in installments. After he had paid some of the installments, i told him that i was forgiving the rest of the money that he owed me and I signed a waiver in front of a judge in the court. However, the next day I regretted having forgiven him the rest of the payments and he continued to pay the installments. Are these payments Halal (lawful) or Haram (prohibited)? Should I return the money that he has paid of these installments,

as I only want what is Halal? Please advise me and may Allah reward you!

A: If the matter is as you mentioned, you have no right to take the money that you forgave from the indebted person.

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The fourth question of Fatwa no. 19886

Q 4: is it permissible for a debtor who is in dire financial straits to ask the creditor to free him from the remaining liabilities? If the creditor accepts the debtor's request, will the latter be free from liability on the Day of Resurrection? What is the formula the creditor can say to the debtor to free him from his liabilities?

A: If the debtor is wealthy and able to repay the debt, he is obliged to hasten to repay it as soon as its term is due. In this case, it is prohibited for him to postpone the repayment. In such a case, he is not allowed to ask the creditor to waive the debts because he is not needy. On the other hand, if the debtor is in dire financial straits and has nothing to repay the debt or even part of it, he is allowed

to ask the creditor to waive the debt or to postpone the deadline of repayment. When the creditor willingly waives it, the debtor's liability is free. The creditor can say any formula that indicates the debtor is free of liabilities. He can say: I free you from the debt's liability, I waive the debt, I pardon you, the amount you owe me is for you, or any other formulas that imply freeing the debtor from liability.

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Fatwa no. 13856

Q: One of my brothers died (may Allah be merciful with him) more than one year ago. He used to work in a military body. After his death, I found a sheet of paper in which he had written his debts. One of these debts was a sum of 3,500 riyal which he had written in front of it: "for a number of people". My deceased brother did not specify the names of these people. I paid back all his debts and distrained from his estate the sum mentioned above. I asked all his colleagues but none claimed the money. Afterwards, I asked them

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to tell all the other people at the place of their work. I asked them to inform the military sector about the matter. I asked them that whoever may actually claim the money should inform me or my deceased brother's cousin who works at the same sector. More than one year passed but no body claimed the money. Please provide me with your beneficial answer. Should I give this sum of money back to the inheritors or what should I do with it? May Allah reward and protect you. Please issue an official answer for me for I act as a Shar`y (Islamic legal) representative for the inheritors who include some who are under aged. May Allah safeguard you.

A: In case the matter is exactly as you have mentioned, you have to pay this sum of money to some Faqirs (poor people) as a Sadaqah (voluntary charity) on behalf of those to whom this money is due. The forgoing will discharge your brother In sha'a-Allah (if Allah wills) and be a source of reward for all.

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Fatwa no. 17642

Q: In 1392 A.H., I took a gun case and some leather shoes from a shop in Riyadh; one of the shops north of the Palace of Justice and east of Masjid Al-Jami', and I deliberately did not pay for them at the time. Lately, I have tried to find that man and his shop to give him the money I owe him, and to ask him to forgive me, but I cannot find him as this area completely changed.

Please, Your Eminence, I want to clear my conscience over this matter.

A: If the situation is as you mentioned, it is obligatory on you to pay the owner the price of the gun case and the shoes, if you can find him or his lawful heirs if he is dead. If you are unable to do this, you should give this sum of money as Sadaqah (voluntary charity) to the poor on behalf of its owner. You should also make Tawbah (repentance) to Allah for this.

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Fatwa no. 18203

Q: I am a grocer and I have a problem regarding sales. When buyers come to purchase some goods, they sometimes give me more money than the actual cost of the goods, because I do not have change for them. They leave the rest of the money with me and tell me that they will pass by the following day to take it. If someone buys goods for 50 Riyals, they give me 100 Riyals, but then, if I do not have the remaining 50 Riyals, the buyer tells me to keep it with me for another time. I have been told that this is a form of Riba (usury/interest). On the other hand, I am unable to convince the buyers not to keep the change with them. I hope that your Eminence will provide me with a prompt written Fatwa (legal opinion issued by a qualified Muslim Scholar), so I can know the truth of this matter.

A: When the buyer leaves some of his money with the seller, this is not a form of Riba.

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This is a form of sale and involves entrusting the seller with the remaining money that is owed; it is not giving him an extra payment over the original price.

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Fatwa no. 18796

Q: Our company specializes in selling goods and real estate in installments, and of course our installment prices are higher than cash prices. The sale is conducted, after we take legal possession of the item to be sold, through a non-binding promise on both parties, and the contract of sale is not signed until we legally possess the item to be sold; until then, the client has the right to change their mind, as do we. If both of us want to complete the sale, the contract of sale is signed, after we take possession, for a price more than that which we paid for the item in cash. The conditions of the contract include the following:

(If the purchaser is more than ten days late in paying one of the monthly installments from the due date, throughout the length of the payment period, the remainder of the installments becomes due immediately, notwithstanding the due dates of the drafts).

The buyer is informed of this condition when they have full legal capacity, before receiving the item, and they agree to it. It is included as a clause in the contract of sale, which is only signed when both parties have agreed upon it.

Please advise whether this stipulation is Shar'y (Islamically lawful) or not.

A: If the situation is as you mentioned, and the condition stipulates that all the deferred amounts become due as one lump sum immediately if the indebted person is more than ten days late in paying one of the installments throughout the payment period, this is not correct, as it is inconsistent with the essence of the contract; which is that the deferment in payment permits an increase in the total sum of money to be repaid. If the indebted person is insolvent, it is obligatory to wait until they can repay the debt, according to what Allah (Glorified and Exalted be He) says (what means): ﴾And if the debtor is in a hard time (has no money), then grant him time till it is easy for him to repay﴿

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The seventh question of Fatwa no. 19446

Q 7: I borrowed some money from a person and paid him after a long time. I know he hated it and was harmed by the delay. If I give him a present after repaying the debt, with the intention of making up for the harm that afflicted him but without telling him, will this be considered as Riba (usury)?

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A: If you settle your debt and pay an extra money on your own and without a prior stipulation from the creditor, or if you give him a present to make up for the harm that afflicted him due to the delay, there is no harm in that. It is confirmed that the Prophet (peace be upon him) borrowed a young camel (below six years) from a man and returned a better camel (above the age of six) and said, ("The best of people are those who are the best in paying off the debt.") (Related by Muslim in his Sahih book of authentic Hadith)

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Monopoly and Pricing

The first and second questions of Fatwa no. 6374

Q 1: If a Muslim is able to store some goods at home for

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some months, especially in light of low supply of such goods, such as rice and butter. Is it permissible to do so? What is the maximum period of storage?

A: It is not permissible to store anything that people are in need of, as this is called monopoly. The Prophet (peace be upon him) said, ("None but a sinner monopolizes (commodities).") (Related by Ahmad, Muslim, Abu Dawud, Al-Nasa'y and Ibn Majah) This practice can cause harm to Muslims. However, if the commodity is not so much needed by people, it becomes permissible to store it until the time of need comes. Then it is made available for people to save them from trouble and for need. Consequently, the period of storage, whether long or short, depends on people's need of the stored commodity.

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Q 2: I seek to know your opinion regarding the following matter. In our country, the authority compels traders to sell goods for a fixed price (the pricing system), especially foodstuff. These prices are unjust to the trader, as they were fixed a long time ago and expenses have increased. Thus, traders resort to monopolizing goods and selling them to anyone who agrees to pay a higher price. They can also keep the goods with them for a while, but this causes injustice to the buyer. What is the buyer's stance toward monopolizing traders? Should a buyer deal with them out of need, especially as most of

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the necessary goods are monopolized and the buyer has nothing to do but to yield and buy them at the higher price? It is also useless and will not remove injustice if a buyer informs the authorities concerned.

A: If traders and the like agree with each other on raising the prices of their goods, seeking their own profit, the ruler has the right to fix a reasonable price for the goods. This ensures justice of the transaction between the buyer and the seller and conforms to the famous juristic rule that provides for bringing good to averting evil. However, if the traders do not agree with one another, but the prices rise due to a higher demand for goods without any deception, the ruler does not have the right to fix prices, but he should leave the people to earn their living. Based on that, it is not permissible for traders to raise the prices outrageously or to fix them.

The same meaning is expressed in a Hadith related on the authority of Anas (may Allah be pleased with him) who said, ﴾Prices became high during the lifetime of the Prophet (peace be upon him). The people said, "O, Messenger of Allah! If only you could fix prices for us." Thereupon, the Messenger of Allah (peace be upon him) said, "Allah is the One Who withholds, gives lavishly, provides and Who fixes prices. I hope to meet Allah, without anyone having any claim against me for doing them injustice regarding their blood or property."﴿ (Related by Ahmad, Abu Dawud, and Al-Tirmidhy who regarded it as Sahih; authentic) It is also related on the authority of

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Abu Hurayrah (may Allah be pleased with him) that he said, ﴾A man came and said, "O Messenger of Allah! Fix the prices." He said, "No, but I shall supplicate to Allah." Then, another man came and said, "O Messenger of Allah! Fix the prices." He said, "It is Allah Who makes the prices go up or down."﴿

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The second question of Fatwa no. 17511

Q 2: The price of some medicines goes up and down by the decree of the Ministry of Health. I have some medicines that I bought for a certain price and they should be sold at a given price but their prices increase after a period of time. After that, the ministry raised the prices of some medicines and I have an amount of them that I bought at the old price. Is it permissible for me to sell them at the new price? It should be noted that the ministry imposes penalties for those who sell at the old price.

A: You should act according to the system that has been developed by the state for selling medicine because acting against this system makes you and others incur losses.

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copyrights on tapes

The second question of Fatwa no. 18845

Q 2: Can I record a tape and sell it without permission from its owner? If the owner of this recorded material is dead, should I ask for permission from the recording body? Can I photocopy a book in great number and sell it without the permission of the author? Can I take a photocopy for myself? Should I take permission for photocopying the books that bear the phrase "All rights reserved"?

A: There is no blame on recording and selling useful tapes or photocopying and distributing useful books because they help in spreading knowledge. But if the owners of these materials prevent that, then you have to take their permission.

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Fatwa no. 18453

I work in the field of information technology. Since I started work in this field, I have made CD copies of software programs I use in my work without purchasing the original CDs. It is important to note that these CDs have statements printed on them warning against making copies. The statements are similar to the 'All rights are reserved' statements we find printed on books. These CDs may be the intellectual property of a Muslim or a non-Muslim. My question now is: Is it permissible to make copies of such software programs?

A: It is not permissible for a person to make copies of software programs protected by copyright unless the person obtains permission from the owner of these programs. The Prophet (peace be upon him) said: ﴾Muslims are on (adhere to) their conditions.﴿ and, ﴾The property of a Muslim is unlawful (to take), unless (he gives it) willingly.﴿ and he (peace be upon him) also said: ﴾Whoever does a lawful matter that has not been done by any other people, it belongs to him.﴿ This applies to any person who owns these software programs whether a Muslim or a non-fighting Muslim because a non-fighting Muslim's rights are respected just like that of a Muslim.

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The second question of Fatwa no. 19622

Q 2: should a debtor spend in a reasonable way or

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should he live scantly in order to repay his debts? Can he give presents to others?

A: A debtor should repay his due debts before offering charity or unnecessary expenditures in order to acquit himself of this debt.

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The twenty sixth question of Fatwa no. 19637

Q 26: After distributing the profit to all the partners in our company, it usually happens that there is some profit remaining. It is unsure whether this is from a mistake or not. Two or three of the partners agreed together to distribute the remaining profit among themselves without telling the other partners. They justify this by saying that they take the responsibility of selling and recording the sold items. Is it permissible for them to do this?

A: It is not permissible for the person who takes on the responsibility of selling or recording the sold items or any partner to take any part of the profit that should be distributed to all the partners unless all other partners agree. If they do not agree, the remaining profit that has not been distributed, should be distributed to all the partners; each according to his share in the company.

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Conditions in selling

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Fatwa no. 169

Q: what is the ruling on selling a car for 10,000 if in cash or 12,000 if in installments as is the case in car exhibitions today?

A: If someone sells a car or anything else to another person in return for 10,000 riyals in cash or 12,000 riyals in installments and they go out without determining any of those two options, then this sale will be invalid because of not determining the status of this sale. Scholars have cited the prohibition of the Prophet (peace be upon him) on making two transactions in one bargain for that effect. This Hadith was reported by Ahmad, Al-Nasa'y and Al-Tirmidhy. Al-Tirmidhy regarded this Hadith as an authentic one. If the seller and the buyer agree on the way of payment whether in cash or in installments during the time of signing the contract and before leaving, then this sale will be valid.

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The second question of Fatwa no. 19431

Q 2: The following transaction is usually carried out among desert dwellers in Egypt. A person may sell sheep or camels to another on credit at a price

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higher than their current market price and demand payment within three years or more. The seller stipulates to share profits with the purchaser after the latter had pays off his debt. Even more, if the purchaser fails to repay his debt during the specified period, the seller takes his sheep back and the purchaser pays for the cost of fodder and grazing during this period. If the purchaser manages to pay his debt, he shares the remaining production with the seller. It is worth mentioning that the purchaser uses the production to pay up his debt. Is this transaction lawful?

A: This sale is unlawful, because it combines two contracts; a contract of sale and a partnership contract. Thus, it falls under the prohibited category of double sales. It is also unlawful because it is conditional on the gain of profit. Both reasons invalidate the sale, which also entails eating up money unjustly because if the purchaser fails to pay off the required debt, he will not be able to refund the money he has spent on fodder and grazing.

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The second question of Fatwa no. 19420

Q 2: A merchant bought a house from someone and stipulated that the seller should hire part of the house with a fixed amount. The seller also stipulated that the purchaser should only sell the house to its first owner. Is this agreement permissible?

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A: This type of sale is not permissible because it includes two kinds of transactions in one and this kind of transaction is prohibited according to Hadith.

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Fatwa no. 19888

Q: What is the legal ruling on a person who sold a commodity for a sum of money for a fixed term and stipulated that the purchaser should pay him, when the payment time is due, one Sa` (2,172 grams) of barley for each Dirham?

A: This act is not permissible because it is two kinds of transactions in one. In addition, the price of barley in the future may go up and therefore, the purchaser may be harmed.

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Fatwa no. 20117

Q: I own a factory that manufactures steel and aluminum and I want to sell part or all the shares of the factory to some people who are short of liquidity. I suggested that instead of giving me money they should buy me other materials like blocks of steel

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or floor tiles for another company. They will buy the materials through the aid of an Islamic bank, is that permissible?

A: This transaction is not permissible as it falls under the prohibited category of concluding two sales in one transaction. The reason is that you stipulate that in return for selling them the shares of your factory they have to buy you other materials as a price.

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Fatwa no. 6880

Q: I am in business selling cars. Upon concluding the contract, I mention the following: I sold this car to so and so for 200.000 Riyals. Some of this amount will be paid upon signing the contract and the remaining amount will be paid in fixed monthly installments. In the contract, I stipulate that the buyer should work for me and I will provide him with such work as I am the contractor for some governmental bodies. I stipulate that he shall work for me until the installments of the car are paid or its full value is paid as long as my contract with the governmental bodies is in effect. I have some doubts about this kind of dealing, specifically, that I stipulate that the purchaser works for me. Could you kindly guide me in this regard? May Allah guide you!

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If this way is not correct, what should I do with regard to the contracts that I have already concluded?

A: in the sale contract you have stipulated another contract; leasing and this completely cancels the contract. The evidence that this contract is null and void is based on what was related by Abu Dawud and Al-Tirmidhy who graded it as good Hadith on the authority of `Abdullah ibn `Umar (may Allah be pleased with them both) that the Prophet (peace be upon him) said: ﴾A loan and a sale are not lawful (together), or two conditions in a sale, or to sell what you do not have.﴿ Accordingly, you should be careful not to do this in the future. As for the past, we hope that Allah (Exalted be He) will pardon you for your ignorance of the ruling. Allah (Glorified and Exalted be He) says: ﴾So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge)﴿

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The second question of Fatwa no. 8779

Q 2: During the process of selling, the seller says to the buyer: "The price of this object is ten riyals if you pay in installments and five riyals if you pay in cash." But the buyer takes the object and leaves the seller who does not know if the buyer will pay in cash or in installments. What is the ruling in this regard?

A: If the reality is as you have mentioned, then this sale will be invalid because it is a way

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of making two transactions in one bargain. It was authentically reported that the Prophet (peace be upon him) forbade making two transactions in one bargain. This is because doing so may contain ignorance about the status of sale that leads to dispute and differences.

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Writing, "We do not replace sold goods nor return their price."

Fatwa no. 13788

Q: what is the legal ruling on writing this statement on goods: "we do not replace sold goods nor return their price"? Some store owners write this statement on their invoices. Is this condition of sale permissible in Shari`ah? What is your advice in this regard?

A: It is not permissible to sell a commodity with the condition that it will not be replaced and that its price will not be returned. The reason for this is that it is an invalid condition. This condition involves causing the purchaser to incur losses and be deceived. Moreover, through this condition the seller forces the purchaser to take the commodity even if it is defective. This condition does not absolve him of responsibility for the defects found in the commodity. If the seller sells the purchaser a defective commodity, the latter will have the right to replace it with another one that is free of defects or else take compensation for accepting the commodity with its defect. This is because the price is paid entirely for a commodity that is free of defects. The seller then does not have the right to take all the price

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for a commodity that is not entirely free of defects. Also, in the Shari`ah a convention is similar to a written condition, so the purchaser may receive the commodity free of defects and be able to return it should he detect any defects in it. This guarantees that the purchaser receives a commodity that is free of defects by convention; exactly as he receives it by written conditions.

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The twentieth eight question of Fatwa no. 19637

Q 28: what is the ruling on whomever says, Buy these goods and in case of loss, I will bear it?

A: If a buyer stipulates that he is not responsible for any loss and if the goods of are spoilt, he will return them, this condition is invalid while the sale is valid. Likewise, if the seller says, 'Buy these goods and in case of loss, I will cover it'. The Messenger of Allah (peace be upon him) stated: (Any condition that is not in the book of Allah is null even if they were a hundred conditions) (Agreed upon by Al-Bukhari and Muslim). The object of a contract is to agree to transfer the goods to the buyer after paying the price at which time he is entitled to full possession, as such, only he takes the profit or bears any losses. This prevents any possible set back on the part of the the buyer who may be careless in marketing the goods that he sold for a lesser price and deemed the seller as responsible, and to avoid the kind of Gharar sale (uncertain sale) on the part of the seller who pledges to bear the losses by

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decieving the buyer into thinking that the goods are in demand and that they are worth the price paid.

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Fatwa no. 19804

Q: Your Eminence, sometimes traders agree with the buyer that the latter may return the goods, but he can not ask for a refund. Rather, the buyer has to choose something that he likes from the goods that are available in the store and its cost should equal the refund. When he cannot find anything appealing, the seller gives him a voucher bearing the value of his refund that can be used whenever he wants to buy something from this store. What is your opinion on this act?

A: It is permissible to state the condition of having a choice to sell for a specified term. The buyer has the right to return the goods within this time frame, subject to this condition, and take a refund. However, stipulating that the buyer may not seek a refund but has to buy some other goods from the store, is null and void. This practice should be disregarded due to the saying of the Prophet (peace be upon him): ﴾Any condition that is not in the book of Allah is null even if they were a hundred conditions﴿

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The twenty fifth question of Fatwa No. (19637):

Q 25: Some people shared in a certain commodity. Its price was paid by only one of them. After the sale process, the commodity incurred loss, which caused all partners to pay their part in the loss. What is the ruling on their behaving as such? Are they liable to anything?

A: If some people share in a certain commodity which incurred loss through damage or decrease in its price, each partner will have to bear a part of the loss in proportion with their share in the commodity.

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Option sale

Fatwa No. (2636):

Q: Having been poor, my father (may Allah be merciful with him) sold a plot of land for a paltry price twenty years ago. However, the buyer asked my father to give him the title deed of the house we live in so that he may have a legal document against us, sons, in case we claim a right to the plot of land in the future. Upon this, my father gave him the deed which was signed by witnesses. Twenty years later, we have already claimed a right to the land by registering it in our names as it was not registered in the name of the buyer. We, urged by some people on the pretext of being poor while the buyer is very rich, did so on account of the land's rise in value. However, the buyer did not submit the title deed of the house taken as a guarantee against my father, claiming it to be lost. Now, my brothers and I feel that we have overtaken the plot of land illegally. However, some experts whom the buyer consulted told him that it is he who is at fault for not safekeeping the title deed of the house which would substantiate his claims if available against those sons whom he had known will claim a right to the land.

I am, in fact, inquiring about the Shar`y (Islamic legal) stand, for we fear Allah (Exalted be He). Is he entitled to the land and do we have to return it to him? Or, is he not entitled to it and we may keep it? As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: If it is the case that your father had sold a plot of land for a paltry price, and prices rose afterwards,

and the buyer had been given the title deed of the house you live in, which was later lost, the buyer will be entitled to the land. This is regardless of whether the price rose, is the same as on the date of buying or has dropped. This is also regardless of whether the title deed your father gave to the buyer is safely kept or lost, as long as your brothers and yourself feel that you have overtaken the land illegally knowing that your father had sold it to him. Moreover, registering it has no effect regarding proving your ownership. In fact, it stands for encroaching upon the right of others. Thus, you have to ask Allah's forgiveness, repent to Him and return the land to the buyer unless you and him agree consensually otherwise.

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Fatwa no. 82

Q: my profession is making cushions stuffed with wood shavings. When I sell them I tell the buyer that they are stuffed with wood shavings. Is this permissible for me?

A: Since you tell the buyer that they are stuffed with wood shavings, provided that wood shavings are of a distinguished quality that

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the buyer will be as if seeing it when told about it and that you tell anyone wanting to buy them about it, you are not sinful. In fact, you will fall under the general purport of the Hadith that reads, (Muslims are on (i.e. stick to) their conditions.)

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The seventh question of Fatwa no. 1843

Q 7: i bought a car that had a simple defect and i sold it without telling the buyer about the defect. is this a kind of deception?

A: Yes, this is a kind of deception. It is well-known that deception is prohibited. It was authentically reported that the Prophet (peace be upon him) said, (He who deceives us is not of us (is not my follower).) You have to repent to Allah and seek His forgiveness. You also have to hasten in telling the buyer about this defect in order to acquit yourself. If he does not relinquish his right, you have to agree with him either to pay him the value of this defect or to take the car back and give him the price he paid. But if you do not agree, then the judge in your area can pass a judgment in this regard. But if you can not reach the buyer, you have to pay the value of this defect as charity.

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The eighth question of Fatwa no. 4494

Q 8: what is the ruling on selling a product purchased defective from the factory?

A: If someone wants to sell a product that they know is defective, it is obligatory on them to make this clear to the buyer. If they do not, they will be sinful, as the Prophet (peace be upon him) said, ("Anyone who cheats us is not one of us.")

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The first question of Fatwa no. 4708

Q 1: I am a grocer and I have a partner who bought 40 quintals of pears from a distance of 1000 km. When these pears were sold to retailers, they found that they were spoiled as they contained worms and were inedible. It is important to note here that I am the one who sold them to the retailers and I did not know that they contain worms and were inedible. However, my partner who brought the pears knew that they were spoiled when he reached his shop

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but he did not tell me about the state of the pears. He said to me: Some of them contain worms. What is the legal ruling on this sale? What is the ruling regarding the retailers who knew about the bad state of the pears and then sold them?

A: selling defective goods without letting people know that they are defective is not permissible because it is a form of cheating about which the Messenger of Allah (peace be upon him) said: ﴾He who cheats us is not of us (is not my follower).﴿ It is also authentically reported that the Prophet (peace be upon him) said: ﴾Both parties in a business transaction have the right to annul it as long as they have not separated; and if they speak the truth and make everything clear they will be blessed in their transaction; but if they tell a lie and conceal anything, the blessing of their transaction will be wiped out.﴿ Those who cheated and sold something that was defective for the price of a sound one should repent to Allah (may He be Praised and Glorified), regret what they have done, not return to that action, to ask for forgiveness from the one whom he cheated and make an agreement with him to return the rest of the money.

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Fatwa no. 7966

Q: I work as a guard in a government agency. There is a contractor who brings four bottles of water to the agency every month, according to an agreement that was made with the agency for a specific price for each delivery. He asks me to write a report every month mentioning that these four bottles have been received, including the time

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and date, to ensure that he receives the money due to him for the delivery. However, the agency does not use all this water and some months the contractor does not bring any water as we do not need it and other times he only delivers one bottle. However, he still requires a report from us acknowledging the receipt of the four bottles so he can get paid for them. I am afraid that I am being sinful by giving him this report, as it is considered to be a testimony. I am also afraid I might be helping him to take what is not Halal (lawful) for him, but he will never accept me giving him a report stating that less than four bottles were delivered a month. Some people are trying to convince me that this is the norm in many agencies and for other contractors in the same agency, but I am not comfortable about it. I am afraid I am cheating myself, my agency, and the contractor himself, who will accept nothing but this. Please, Your Eminence, give me a Fatwa (legal opinion issued by a qualified Muslim scholar) on this matter, so I can be well-informed. May Allah grant you long life!

A: It is not permissible for you to cheat. Your conscience will only be clear when you tell the truth about the number of bottles that are delivered every month. If you do not do so, you are cheating your agency and being sinful for cooperating with the contractor in sin, transgression, and taking undeserved money. Allah (may he be Glorified) says (what means): ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allâh. Verily, Allâh is Severe in punishment.﴿

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The fact that many people cheat their companies does not furnish an excuse for you nor exonerate you from cheating yours.

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The eighth question of Fatwa no. 7623

Q 8: A Muslim bought an alarm clock, and after a while one of its gears malfunctioned so he replaced it with a new one. This occurred only after nine months had elapsed since purchasing it. As such, he offered it for sale at five pounds less than its market price, because he had used it for this nine month period. Should he inform the buyer that he replaced this gear, or just reduce the price due to that the alarm clock was previously used?

A: It is obligatory to indicate the condition of the article and not to hide its defects, if the alteration that occurred is regarded as a defect by the people of experience in this field.

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Fatwa no. 6966

Q: My father had a piece of land along with another partner. I applied to the concerned authorities to obtain a building license in order to build a petrol station in the eastern part of land near a crossroad. They denied me a license under the pretext that this place it too close from the crossroad. This is forbidden according to their laws. They told me that I am not allowed to build a petrol station in this place unless it is two hundred meters away from the crossroad. We then went back the appointed distance and applied for the license and we got it. Then someone wanted to buy the area near the crossroad in return for a good price in order to build it as a petrol station. The mediator called me and asked me about this area. i told him that I applied to the concerned bodies to get a building license and they denied me this license, and I told him all what had happened. The customer then abstained from buying this piece of land, and my father's partner blamed me severely for telling him about what had happened. He said that there is no fault in this land that annuls the selling contract. He blamed me for spoiling this transaction. Am I right with regard to what happened? Or is my father's partner right?

A: If the reality is as you mentioned, then telling the customer about the reasons of preventing this piece of land from being a petrol station is obligatory.

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Moreover, it is a kind of clarification which was ordered by the Prophet (peace be upon him) in his saying: ("Both parties in a business transaction have the right to annul it so long as they have not separated; and if they speak the truth and make everything clear they will be blessed in their transaction; but if they tell a lie and conceal anything the blessing of their transaction will be wiped out.") (Related by Al-Bukhari and Muslim). The Prophet (peace be upon him) also said: ("Religion is based on advising one another...") The objection of the partner of your father is not acceptable.

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The nineteenth question of Fatwa no. 19637

Q 19: What is the ruling on selling a broken or a defective commodity without notifying the buyer about the defect at the time when the auction is held? Is it permissible for the buyer to return the commodity after he knows of the defect?

A: It is prohibited for a seller to hide the latent defect of a commodity which diminishes its value in a way that causes harm to the buyer. If the defect exists prior to contracting and the buyer only happens to know about it after the sale is concluded, he has the option to retain the commodity and receive a compensation for the defect, which is estimated according the supposed price of the commodity if free of defect and its price in case of defect.

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The buyer may also return the commodity to the seller and take his money back. This type of sale is known as Khiyar Al-`Ayb (a type of sale which involves the buyer's option to retain or return a defective commodity to the seller). This is supported by the Hadith narrated by `Uqbah ibn `Amir (may Allah be pleased with him) who said, "I heard the Messenger of Allah (peace be upon him) say: ﴾A Muslim is the brother of a fellow-Muslim. It is not lawful for a Muslim to sell his fellow-Muslim a deficient item, unless he shows him this defect.﴿ (Related by Ahmad ibn Hanbal in his Musnad), and Ibn Majah in his Sunan (Hadith compilation classified by jurisprudential themes) (vol. 2, p. 755). This is the wording as narrated by Ibn Majah. This Hadith is also narrated by Al-Bukhari in his Sahih (authentic book of Hadith) (vol. 3, p. 10) in the form of Hadith Mawquf (a Hadith narrated from a Companion of the Prophet) on the authority of `Uqbah ibn `Amir. The Hadith says: ﴾"It is not lawful for a person to sell a commodity in which he knows that there is a defect, unless he makes it known."﴿ This is also supported by the Hadith narrated by Al-Bukhari in his Sahih on the authority of Hakim ibn Hizam (may Allah be pleased with him) who said, "The Messenger of Allah (peace be upon him) said: ﴾The seller and the buyer have the right to retain or return goods as long as they have not parted or till they part; if both the parties spoke the truth and described the defects and qualities (of the goods), then they would be blessed in their transaction, and if they told lies or hid something, then the blessings of their transaction would be lost.﴿

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The third question of Fatwa no. 9607

Q 3: There is a vendor who deals with farmers and they behave dishonestly. They put the large fruit on top and the small ones at the bottom before giving them to the vendor to sell. He knows that they are deceptive. what should he do with them? Are these farmers sinful?

A: The vendor has to advise and warn the farmers against behaving like this. He is also obliged to tell the people to whom he sells the products about their defects, or he is also considered sinful.

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Fatwa no. 11729

Q: We collect fig fruits in baskets made of branches of palm-trees. We put the fully ripened figs in special baskets marking it as 'first class figs' and in other baskets we place the big fruits on the top and the small underneath

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which are not apparent although they are ripe. The customer is aware that these baskets contain second class fig fruits.

Is this a kind of cheating or not? Furthermore, when the fruits inside these baskets become spoiled in some cases, we do not remove them. That is the reason why people do not buy them, and if they do, it is at a low price. What do you advise us to do knowing that all the people in my village do this? You should also know that the word "Sabat" means the basket in which fruits of figs are put. They are made of braches of palm-trees. Kindly, give us your Fatwa in this regard. May Allah preserve you in this life and the Hereafter.

A: putting the small fruits under the large ones in the basket is a kind of fraud and cheating which is Haram (prohibited), for it has been authentically reported that the Prophet (peace be upon him) said: ("He who cheats us is not one of us (is not my follower).")

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Fatwa no. 12596

Q: In 1397 A.H., I had a Mercedes truck with which I used to transport cement from Al-Dammam to Riyadh. I used to buy cement bags from Al-Dammam for thirteen Riyals and sell them in Riyadh for seventeen Riyals. It happened on some days that people would sell cement outside the port of Al-Dammam. This cement is the waste which the trains and ships throw outside the port.

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Some people pack this waste cement in the bags of a Japanese cement called 'Abu Marwahah' which is the finest kind of cement. I have bought three loads of cement for ten Riyals per bag and I sell them in Riyadh for seventeen Riyals like the good products. Three people from Riyadh bought three hundred and fifty bags from me, and when they asked about the quality of the cement, I replied that it is as you see it. a purchaser buys when he sees the good product. I do not know whether the cement is good or not and I do not know the place of those who bought it. I am confused, please, guide me so that I may free myself from any blame. When selling the cement, I knew that this was cheating but other drivers told me that they would sell it on my behalf and when customers came to buy the cement, I used to tell them that it is packed, but the drivers asked me not to speak and told me they would sell on my behalf. May Allah guard you and set right your deeds.

A: The seven Riyals which are more than the original price should be spent in charity such as: money given to the poor, the Afghani Mujahids (those fighting in the Cause of Allah), fixing the toilets in Masjids (Mosques) and so on. You should also repent and seek the forgiveness of Allah (Exalted be He). May Allah guide us all to sincere repentance.

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Fatwa no. 13659

Q: Should a seller reveal any defects in his commodities to the purchaser and not try to conceal them?

A: A seller should honestly reveal the defects of his commodities and is not permitted to conceal them, because this entails cheating. It was authentically reported from the Prophet (peace be upon him) that he said: (Both parties in a business transaction have the right to annul or conclude it so long as they have not separated. If they speak the truth and make everything clear, they will be blessed in their transaction; but if they tell a lie and conceal anything, the blessing of their transaction will be wiped out.)

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The first question of Fatwa No. 6092

Q 1: Semi-dry dates may be ripened artificially by exposure to heat. Is this permissible?

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It is important to note that this is done to hasten the process of drying in order to sell the dates at a higher price.

A: It is impermissible to do so, for you are deceiving people by offering unnaturally ripened dates.

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Fatwa no. 19996

Q: I have read the following Qur'anic Verse: ﴾O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent. And do not kill yourselves (nor kill one another). Surely, Allâh is Most Merciful to you.﴿ (Surah Al-Nisa', 4:29). I was an official in a car agency and this agency purchases spare parts from Al-Tashlih (stores that sell used spare parts) and installs them in clients' cars instead of installing new spare parts even though there are new spare parts available. The payment they receive from the clients is in return for replacing the damaged parts of the cars with new spare parts. It should be noted that these damaged parts are sometimes basic parts in the car such as the front differential which, if not working properly, may lead to accidents and deaths and also the car wears out quickly. This process forces the client to return and replace the spare parts and pay for fixing them another time. Then again the agency brings him old spare parts from Al-Tashlih. They do all this to make more money.

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Also, the manufacturer of the spare parts gives every purchaser a guarantee to use the spare parts for a certain period of time or a specific distance and this is common in car agencies. During the period of guarantee, the manufacturer undertakes the responsibility of fixing any damage in the new cars. However, in this agency, they agree with the client to replace the damaged parts within the period of the guarantee as follows:

The damage in the car may be minor that could be fixed simply, but the officials in the service department agree with the client to replace the damaged part with a new part in return for half the price of a new spare part. After that they install the new spare part in the car. He pays for the new spare part and the installation fees even though they are covered by the guarantee given to the client by the manufacturer. Moreover, they sell the used spare parts to other people without informing the manufacturer or the client which causes the manufacturer to incur losses.

The question now is: Was my work in this service agency unlawful? What is the ruling if I return to work there again? Does the Qur'anic Verse mentioned above apply to work in this service agency? Does my silence make me an accomplice with them in these acts? Do I have to inform the authorities? It should be mentioned here that these acts are still being practiced. When I advised them to stop, they became hostile towards me. I appreciate your advice. May Allah reward you best!

A: These acts constitute deception, falsehood and fraud. All are unlawful practices according to the Qur'an and Sunnah. If such acts are still taking place in this agency,

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it is not permissible for you to work there because this is a form of cooperating in committing sin and

transgression. Hence, it is not permissible for you to return to this work and you should report these acts to the authorities in charge and provide them with proof.

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Fatwa no. 17398

Q: The following process takes place in car agencies: a car is brought to the auction area and it is offered for public sale through loudspeakers without mentioning its defects. People check it while it is stationary and they do not test drive it. When the deal is concluded, the agency immediately receives the down payment from the purchaser and stipulates some public conditions on the purchaser that the car is full of defects. Then an employee of the agency drives the car to the agency where it is registered without being examined by the purchaser. Moreover, the purchaser may be prevented from driving it until the ownership is transferred. Thereby, the car is given to the purchaser regardless of the defects it contains even if these defects appear later on.

Could you kindly advise me about the validity of this sale. If it involves unlawful violation, I hope that you will write to the competent authorities to set the proper Shari` regulations in this regard.

A: a seller must show the defects of the commodity

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because the Prophet (peace be upon him) said: (Both parties in a business transaction have the right to annul it so long as they have not separated; and if they speak the truth and make everything clear they will be blessed in their transaction; but if they tell a lie and conceal anything the blessing of their transaction will be wiped out.) Even if a seller says the commodity is full of defects, it is not enough until he shows the real defect of the commodity so that the buyer will be aware of the defect. Allah knows best.

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Fatwa no. 19158

Q: We are a group of young men invoved in the sheep trade market. We also deal in some types of sheep such as the Somali wild sheep which we wash, so that the buyer thinks that it is raised in Saudi Arabia and as such their price increases. If buyers were to know that these flocks of sheep were recently imported into the Kingdom, they would ask for a price cut, or perhaps not buy them at all. What is the ruling regarding our practice? What is the ruling regarding those who wash the sheep, knowing that this affects a price increase? May Allah reward you.

A: Indeed, this practice is a manner of cheating the buyer and is impermissible, for the Prophet (may peace be upon him) stated, ("He who cheats us is not of us.") Subsequently, you must give up this practice, and be honest in your trade so that there will be blessings in your dealings and a fulfillment of your duty.

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Fatwa no. 1194

Q: There are companies which stipulate that their shareholders should be citizens of the same nationality of the company. In order to buy the shares offered, some people of different nationalities assume the identity of some citizens who in turn offer their names and nationalities for sale. Those citizens make copies of their identification cards and give them to the share hunters, who assign them to be shareholders just on paper. These citizens believe that they are doing nothing wrong since they only copy their identification cards and sell them, claiming that it is a kind of investment just like a palm tree whose dates are sold, as well as its branches, fibers, and wood and a sheep whose wool is sold. The real shareholder who assumes my identity asks me to sign official documents in the company as well as in the bank. This is my work; I copy my identification card and give it to some people in return for money.

A: There are certain systems for obtaining the nationality of a country. These systems may differ from one country to another. People should observe the systems of their country that do not oppose Shari`ah (Islamic law), for such observation entails cooperation in

righteousness and piety. Allah (Glorified be He) has ordered Muslims to do this: (Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety)) On the other hand, disobeying these systems in a way that brings corruption and harm to individuals, the community, and the State is an act entailing cooperation in sins and transgression, which is prohibited by Allah. Allah (Exalted be He) says: (but do not help one another in sin and transgression.)

In this case, since the shareholder assumes the identity of the citizen, this deal is based on lies, cheating and deception, which are all impermissible. Even more, gaining money out of this deal is the same as eating up money unjustly, because both parties have gained money through unlawful means, namely, through lying, cheating, and being disloyal to the State.

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Fatwa no. 12564

Q: I am a farmer and I harvest a small amount of grain enough to fill an average trunk. I am also certified by The Ministry of Agriculture that I

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work as a farmer. I sell my harvest to my brother at a fixed price that amounts to 10000 riyals. He, in turn, uses my certificate and adds to the small amount of my harvest a bigger amount from his farm that together fills a large truck. He takes it to the flour mills along with my certificate bearing my name, despite the fact that I sold him my harvest for 10000 riyals. Is this permissible for me, or is it a manner of fraud and cheating the government? I earnestly hope that you will respond, in sha'a-Allah, because of the urgent need and the fact that most farmers do this claiming that there is nothing wrong with what they do because the seller takes a fixed and known price whereas the buyer makes use of the certificate without any harm on the part of the initial seller.

A: If the matter is as you mentioned, it is not permissible because it entails cheating and lying.

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Fatwa no. 15433

Q: In our restaurants we only prepare the quantity of food which is expected to be sold on the same day. All praise be to Allah, for most days we do not have any extra food. Nevertheless, some days we have some extra food and regrettably

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we are ordered to throw it all away with the garbage. The confusing matter is that not all food is of the same degree of frailty. Rather, some of it does not change for more than twelve or twenty four hours let alone eleven hours. Amongst these kinds of food are chickens and fowl which do not change because I instruct workers to keep them in refrigerators for eleven hours which is the period for which the restaurant is closed and that I think will not cause the food to be harmed in summer or in winter. This is ascertained because we keep such food in good cold refrigerators and freezers and sell it next morning before we sell the rest of the food. It may be worth mentioning that when customers ask about this food and its date etc., we tell them the truth openly and give them the right of choice whether to buy the food or not. We would like to inquire about the following:

1- Is throwing extra food away with the garbage permissible or not, bearing in mind that we are ordered to throw away all extra food with no exception? Is it permissible to keep the food, as I do, so long as its taste does not change, and it is not harmful because of its well-keeping?

2- Regarding other kinds of food, we throw away rice by the end of the working day because we know that it will not be eatable as its shape changes by storage. We thus throw it away and close the restaurant, in case you say: "Throwing away good food with the garbage is Haram (prohibited) and that other people die of hunger; why do you not distribute this extra food amongst the needy people in your city?" We will reply: "As you know (may Allah safeguard you), the restaurant closes late at night - roughly at twelve p.m. - we would not find any body to give them the food. Moreover, knocking on

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people's doors at night at such an hour will put us in big trouble." On the other hand, in case you say: "Keep it as you keep other food", I will say: "I am an educated and responsible person and I know that if we had kept it for more than fifteen hours i.e. until after noon, it would have caused many problems for us with the authorities at the municipality. In addition, rice differs from other kinds of food with regard to its degree of frailty as we have mentioned above for its shape but not taste changes by storage. Grains of rice are split and thus can not be sold. The question is: Am I considered a sinner by throwing the food away with the garbage?

Provide me with your beneficial answer please and guide me to the proper measure to be done with such extra food so that we avoid sinning and Allah is pleased with us and blesses our provision and food. May Allah reward you with the best.

A: It is impermissible to sell or throw away the restaurants' extra edible food and meat that the municipality forbids selling so long as it can be benefited from. However, such food can be given to the needy people as a sort of Sadaqah (voluntary charity) either by giving it to them directly or through charitable associations.

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Fatwa no. 18154

Q: We have a farm that has a flood water canal that crosses it from the west to the east. This canal is built under ground and is made of concrete, and has above ground access chambers.

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If a flood occurs, it causes damages to the farm. Should I tell the buyer about this canal before selling it? Can I sell it without telling the buyer about this defect? May Allah reward you well and admit you to the gardens of paradise!

A: the seller and buyer should be truthful in their transaction. They should not conceal any defects with regard to the price or sold item, as defects decrease the value of the sold item. Moreover, it is a form of deception. The Prophet (peace be upon him) said: ("He who deceives us is not of us (is not my follower).")

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Fatwa no. 18434

Q: I own a fruit orchard where I grow different kinds of figs. Ten days or more before they ripen, i put a substance on the fruits to make them ripen before their due time in order to take them to market early. Is what I do permissible, as the substance I use is not legally prohibited and has no bad effects on health or the trees to which it is applied? Kindly, give us your Fatwa in this regard. May Allah reward you best.

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A: This practice of deceiving people into believing that the fruits have reached the state of ripeness before their due time is not permissible because it is a kind of cheating. The Prophet (peace be upon him) said: ("He who cheats us is not of us (is not my follower).") Hence, it is mandatory upon you to repent to Allah and give up this practice that harms people and results in your taking their money unjustly.

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The third question of Fatwa no. 16816

Q 3: In the market area where vegetables and fruits are sold, traders stuff cartons with paper before packing it with fruits and vegetables so that the buyer is deceived into thinking that the cartons are heavy. The price is paid according to the weight of the carton. When the buyer unpacks the carton, he finds that only a small amount of vegetables or fruit has been put in it. This is common in all market areas. It may be for this reason that we are deprived of rain. Moreover, when newly converts to Islam notice this fraud, they might think that Islam preaches cheating and thus would abandon it. What is the ruling on this?

A: It is prohibited to stuff things into boxes or containers of items intended for sale for the purpose of cheating the buyer into buying them thinking that they are part of the sold item. This is based on the Hadith in which the Prophet (peace be upon him) says, ("He who deceives us is not of us (is not my follower).")

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The second question of Fatwa no. 6413

Q 2: A person imports materials from abroad which arrive in closed packs. These packs have a fixed weight of 50 kilograms. however, by the time these packs are sold, the weight decreases to 49 kilogram due to weather conditions without interference on the part of the seller who sells the packs as 50 kilogram each. What is the ruling in this regard?

A: If he informs the purchaser, there is no blame for him, but if not, this becomes cheating on the part of the seller and it is Haram (Prohibited).

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The second question of Fatwa no. 18257

Q 2: Allah (may He be Exalted and Praised) commands us to establish the weights in justice and not make the balance deficient. I work in a bakery in Cairo. My work is to knead the dough and I have no other profession than this and it is my only source of living. most of the employers in this field command us to reduce the weight of bread. Indeed, I witness this crime and participate in it. It should be mentioned here that I do so to obey the command of the owner of the bakery. In addition, we mix some materials with the flour. Should I quit this job which is my only source of sustenance or what should I do?

A: Allah (Exalted be He) prohibits us to make the balance and weights deficient by reduction and decrease. Allah (Exalted be He) says: ﴾Woe to Al-Mutaffifûn (those who give less in measure and weight).﴿ ﴾Those who, when they have to receive by measure from men, demand full measure,﴿ ﴾And when they have to give by measure or weight to (other) men, give less than due.﴿ ﴾Do they not think that they will be resurrected (for reckoning),﴿ ﴾On a Great Day?﴿ ﴾The Day when (all) mankind will stand before the Lord of the 'Alamîn (mankind, jinn and all that exists)?﴿

Therefore, you should weigh in justice and comply to the command of Allah (Exalted be He). Do not obey those who command you to reduce or make the balance deficient even if they dismiss you. Whoever abandons something for the Sake of Allah (Exalted be He), He will recompense him with something better than it. You should advise those who command you to do this evil act and remind them of Allah (Exalted be He); perhaps He will guide them because of your advice.

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Fatwa no. 20071

Q: I own a retail butcher shop. There are some matters which I do not understand when it comes to the weighing process. Allah alone knows that I only seek His pleasure by adhering to lawful and honest trade and abiding by the rulings of Shari`ah (Islamic Law). My problem is that I own an electronic scale that has an accuracy weight of five grams. We sell the meat wrapped in paper especially made for it at a cost 35 Dinar (in Algerian currency) per Kilo. We then cut it into pieces and the weight of a single paper ranges from 85 gram to 20 gram.

The price of 1kg of this paper is 35 Algerian Dinars.

1 kilo of paper consists of 35 papers (each paper measures 20 gram). When we sell the meat, the price of one kilo becomes 4.20 Algerian dinar, and of course we pack the amount of meat with the necessary paper. The problem arises when it comes to weighing the meat while wrapped in paper, as the price of the paper equals that of the meat, i.e., one kilo of paper equals 4.20 Algerian dinar. In a simple mathematics, one kilo of paper (50 papers) equals 35 Algerian dinar, the price of the single paper is 5.75 dinar, and the price of one kilo of paper after weighing is 4.20 Algerian dinar whereas the price of a single paper is 840 Algerian dinar. What is striking

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here is the huge difference between the purchase price of the single paper which is 0.70 Algerian dinar, and its selling price which is 840 Algerian dinar, taking into consideration that we use small plastic bags that cost 0.50 Algerian dinars each, whereas the price of each big one is 1 Algerian dinar per sale.

Kingly guide us, may Allah be merciful to you. If we sell the meat without this kind of paper, we would lose the price of the paper. If we sell it with the price of the paper included, then we would go against the rulings of Shari`ah knowing that I began this kind of work two years ago. We ask that you to tell us if we have indulged in any kind of Riba (usury/interest), because we will not accept Haram (prohibited) earnings. Also, how should we purify this money gained from any unlawful profits? There is another problem, namely, some dishonest merchants sell goat's meat as sheep's meat. It is not detectable after the animal is skinned, so they sell the meat cheaper than we do. What is the ruling regarding those who do this?

A: What you said in your question concerning including the wrapping paper weight in the meat gross weight, and the big difference that occurs, as well as selling the goat's meat as sheep's meat and the like, are all forms of cheating and deception. This is forbidden in the revered Shari`ah, for Allah (Exalted be He) stated: ﴿And eat up not one another's property unjustly (in any illegal way e.g. stealing, robbing, deceiving, etc.)﴾ The Prophet (peace be upon him) said: ﴾"He who cheats us is not of us (is not my follower)."﴿

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The fifth question of Fatwa no. 7849

Q 5: A company instructed an employee to buy a specific product. After exerting some effort to research the market and find the best type for the lowest price, the employee found a merchant who was selling the product for a reasonable price. The merchant said, "I will sell you this product for 12 pence a kilo, although the current rate on the market is 14 pence a kilo. So you will make 2 pence on every kilo, if you write that you bought it for 14 pence a kilo, according to the market price." Is it permissible for the employee to take the 2 pence or not?

A: It is not permissible to take the two pence, as it entails lying, forgery, and taking undeserved money. He should write the actual price to fulfill the Amanah (trust) and to avoid lying and deceit.

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Selling what is not possessed

Fatwa no. 697

Q: I had some money and someone came and asked me to loan him 1,000 riyals. I told him that I would take 13 riyals for each 10 riyals, earning three riyals on each ten. We agreed and went to the market. I bought some goods for 1,000 riyals and sold them to him for 1,300 riyals. Is this lawful or unlawful, bearing in mind that we had agreed on that before buying the goods?

A: Since you say that you sold that person the goods before you even possessed them, and after that you went and bought them from the market, this agreement is invalid, as you sold what you did not possess. The Prophet (peace be upon him) said, ("Do not sell what you do not possess .") (Related by Al-Tirmidhy, Ibn Majah and others)

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Fatwa no. 14235

Q: Someone asked me to sell him 50 bags of rice and I told him I could sell him 25 bags of rice and 25 bags of sugar and he agreed. When he went

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to seek a buyer for his goods, he found someone who wanted 50 bags of rice. So he came back to me and when I searched my warehouse, I found only 25 bags of rice and we continued the sale without me delivering the other 25 bags until after 25 days had passed. Have I committed a sin, since the bags were not available with me and the delivery was delayed?

A: Selling the bags of rice you have is valid but it is not permissible to sell what you do not possess, as one of the conditions for a valid sale is that the seller should be in possession of what he sells.

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Fatwa no. 2869

Q: Some people ask me to buy a car from an agency and sell it to them in installments, instead of them buying it directly from the agency. This is because the agency requires a surety and does not allow any delay in the monthly payment, while I do not ask them for any surety and if someone of them fails to pay the monthly share on time, I wait until they are able to pay without any additional charges. This is the first point.

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The second point is that someone asks and urges me to buy a car at a time when I do not possess any cars and I go and buy it from the agency to sell it to them. We do not agree on the price until after I have taken it from the car agency and become in possession of it. Then I inform them of the price I paid for it and the price I charge them to pay. Is this permissible or should I agree with them on the price before I even buy the car, then go and buy it and then sell it to them later?

A: If you buy a car from a car agency, receive it and then sell it to another person for an instant or a deferred payment, there is no harm in that. However, if you buy that person the car before buying it or after buying it but before receiving it, this is not permissible. The Prophet (peace be upon him) said, ("Do not sell what you do not possess.") (Related by the Five Compilers of Hadith (Imams Ahmad, Abu Dawud, Al-Tirmidhy, Al-Nasa'y and Ibn Majah) on the authority of Hakim ibn Hizam) It was also related by Ibn Hibban in his Sahih book of authentic Hadith. Al-Tirmidhy said, "This Hadith is Hasan (good) and Sahih (authentic)." It is related in the same chapter from `Amr ibn Shu`ayb from his father from his grandfather in the Hadith books of Abu Dawud and Al-Tirmidhy, and is considered Sahih (authentic) by Al-Nasa'iy and Ibn Majah, that the Messenger of Allah (peace be upon him) said, ("A loan and a sale are not lawful (together), or two conditions in a sale (two transactions combined in one), or to make a gain of something that is not delivered to you, or to sell what you do not possess.") The phrase "what you do not possess" means what is not in one's possession. And this answers the two points of the question.

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The second question of Fatwa no. 5269

Q 2: A person agrees with someone else that the latter buys a car and then sells it back to him without taking a down payment. Furthermore, he may take a third of the car's value as profit. For instance, if the car costs 20 Riyals, he sells it for 30 Riyals. The car would only be bought if there is an agreement between both parties, and the car must be sold to the first party.

A: When a person sells a car to someone else before taking possession of it, the sale is invalid. This act is impermissible whether the car is sold by cash or deferred payment; whether the profit is a percentage of the purchase price such as the third or a specific value; or whether a down payment is paid or not. This is so because he sells it before possessing it. On the other hand, when he agrees with the other person to sell it to him after acquiring and taking possession of the car, the sale is permissible because this is a promise of buying, not a contract. They then have the right to conclude a contract so as to keep the promise. The second party may sell it to someone else, and the first party may buy a different car.

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The first question of Fatwa no. 2885

Q 1: Two years ago I met some people who had taken pieces of land. They told me that no one owns the land. I then took a piece of land and divided it into several parts. I told other people that no one owns the land and they too took possession of some pieces of land. A few days later people started to buy and sell their land. Then, I sold all the pieces of lands that I had taken. I concluded a contract with the purchaser in which I specified the area of the land, the price and made a promise to support him against anyone who may claim ownership of the land except for the state; and anyone who has a document that proves his ownership of the land. People agreed to purchase the land accordingly. Later, the municipality destroyed all the buildings and boxes placed on the land and evacuated the inhabitants. I heard from some people that the land is owned by the municipality. I do not know the people to whom I have sold the land. None of them came to me to take their money back. I hope you will tell me the ruling on the money I have taken from them, which is about SR 6,000. Is this money lawful for me or not? What should I do with it?

A: your sale of this land is not permissible and it is not a valid sale,

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because you were not the owner of the land. You were not entitled to sell the land or give consent from its owner after you sold it. Hence, you have to repay the money, whether little or much, that you have taken from the purchasers.

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The first question of Fatwa no. 3020

Q 1: I took hold of some land and then sold it. I think that this piece of land is not the property of anyone whether municipal boards or anyone else. It is impossible to find some of those to whom I sold this land because I do not know their names or addresses. What is the ruling in this regard?

A: I have previously issued a Fatwa, no. 2885 in 3/12/1400 A.H. that points out that selling this land is not permissible and invalid because you do not possess this land. Moreover, you are not asked to sell this land on behalf of another person nor does the person who possesses it agree on your sale. Therefore, this sale is invalid. You have to repay the price to those who bought this land from you regardless of the amount paid. If you can not reach the person to whom you have sold the land, then you have to give the price as charity to the poor or spend it in charitable projects as building and maintaining Masjids (mosques) intending that the reward of this charity is for the owner of this money.

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If you do so, you will acquit yourself of this sin.

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The thirteenth question of Fatwa no. 6337

Q 13: A man buys a commodity through reserving it at a certain price like a fridge for example, with the view to sell it later at a higher price. Is it permissible for him to do so? What is the ruling on the so-called 'black market'?

A: It is not permissible for a Muslim to sell a commodity which he has bought if he does not possess or hold it. When the person owns the commodity, it is permissible for him to sell it even if he sells it at a higher price than the price at which he bought it; and whether or not he bought it in cash or on credit. The ruling on the black market is similar to other dealings. If the conditions of a valid sale are applied to black-market dealings, the sale is permissible, otherwise, it is not.

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The first and second questions of Fatwa no. 6543

Q 1: I am a car dealer and I offer cars for sale on credit. Some purchasers ask me

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to state in the contract that they bought the car directly from the agency. It should be noted that I buy the cars directly from the agency then sell them to the purchasers. However, some purchasers insist on stating in the contract that they bought the car directly from the agency. Some other purchasers ask me not to write their names or my name in the contract so that they can sell the car without any documents. Your Eminence, I make these two types of transactions with my own money but I do not take any down payment from the purchasers. I would like your Eminence to enlighten me: Are these transactions lawful or not?

A: It is permissible for you to buy the car directly from the agency in your name, and then sell it to a second purchaser after holding and possessing it, whether or not you bought it in cash or on credit, even if you will sell it at a price higher than that for which you bought it for. However, you should not state in the contract that the second purchaser bought it directly from the agency because this is a lie and it may also result in some problems. If you have not taken the car from the agency and have not taken possession of it, then selling it to a second purchaser is invalid whether it is in cash or on credit. This is so even if you will sell it to him at the same price that you bought it for. The Prophet (peace be upon him) forbade selling commodities till they are taken possession of or owned by the purchaser.

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Q 2: what is the ruling of fixing profit?

A: It is permissible for a person to sell the commodities that he owns and possesses for a fixed profit or a fixed percentage, and to sell them with a non-fixed profit provided that both parties know the final price for which they agreed.

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Fatwa no. 7177

Q: I bought a Mercedes car two years ago. Someone I know came and sold this car to me. He did not possess the car at the time. We agreed that the price is 180,000 riyals that would be paid in monthly installments. Then he bought the car in cash and sold it to me according to the agreed upon price. Two months later, someone told me that this kind of transaction is not permissible. I asked a number of scholars about the ruling on this issue, some of them permitted it and others regarded it as invalid. I gave him the car back and told him about the legal ruling in this regard, and he agreed to sell me the car again according to the cash amount he paid as a price for it. Is this a valid transaction? If it is a valid transaction, should I give him the remainder of the previously-agreed-upon price? Moreover, the car became in my possession after he accepted to receive the price he paid for it in cash. Please clarify this matter for me.

A: If the reality is as you mentioned with regard to a contract between you, then the first transaction is invalid because he sold you the car before possessing it. This is a legally prohibited transaction. But agreeing to pay him in cash the price he

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has paid to buy this car is permissible. We ask Allah to forgive you for buying it before the seller possessed it. You do not have to pay anything other than the agreed upon price. But you have to repent to Allah and seek His forgiveness for your first transaction.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third, fourth, fifth, seventh, eighth and ninth questions of Fatwa no. 6559

Q 3: two people came to me; one of them wanted to buy a car for cash and sell it to the other on credit. They both chose the car together and I doubt that they agreed on the price on credit before purchasing it from the agency. Is it permissible for me to sell it to them?

A: It is permissible for you to sell it after you have taken possession of it. Doubting that it will be sold on credit has no effect on the transaction.

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Q 4: i sold a car for 10,000 in cash. A month later, the buyer sold it back to me at my car showroom for 7,000 in cash. is this sale lawful?

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A: If the reality is as you have mentioned, it is permissible for you to buy the car from him whether you charge less or more than the price you already sold it to him for and whether you bought it in cash or on credit.

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Q 5: what is the ruling on taking a sum of money: 100 Riyals in return for writing the final discharge between two persons?

A: Doing so is permissible providing that the purchase contract of the car is valid.

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Q 7: does the debt that is mentioned in the concluding Ayahs (Qur'anic verses) of Surah Al-Baqarah refer to those which we know today?

A: It refers to what Allah (Exalted be He) has legislated and what was clarified by the Messenger (peace be upon him) such as the Salam sale (sale with advance payment), sale on credit, and so on, but it does not mean `Inah sale (sale with immediate cash repurchase for profit) which has evidence indicating that it is prohibited.

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Q 8: Would you please explain the proper way of selling cars for deferred payment within a year or by installments?

A: The car should be known by both parties, owned by the seller and be in his possession at the time of sale. The terms of payment, value and number of installments should be specified.

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Q 9: Am I a sinner if I facilitate the process of a debt? For example, I sell a car to a person who wants to sell it on credit and he leaves it in my car agency to sell it. Please keep in mind that it is sold several times from a creditor to a debtor.

A: Whoever does this while knowing the purchaser's intention is a sinner

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for this entails cooperation in doing something that is prohibited which is selling goods before they are received by the purchaser. The seller is a sinner for the Messenger (peace be upon him) forbade completing a transaction before the sold goods are received by the purchaser.

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The first question of Fatwa no. 5371

Q 1: It happens that some people ask me to sell them cars paying by installments. If any of the cars is not available at the time they ask me, I agree with them on the value after they provide me with the description of the cars they want. Then, I buy the car for them and bring it to the purchaser if it fits the description he asked for. Then it will belong to him and if it does not, he is not forced to buy it because he has the choice to look and examine the car. Could you kindly guide us regarding the validity of this transaction. May Allah reward you!

A: If the reality is as you have mentioned, that you conclude an agreement with the person who wants to buy the car on credit by fixing its value and that he gives you its description then you fetch it for him later, then this transaction is prohibited. This is so because you are selling what you do not possess. It is authentically reported that the Messenger of Allah (peace be upon him) said: (A loan and a sale are not lawful (together), or two conditions in one sale, or to make a gain of something that is not yet secured, or to sell what you do not have.)

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The third question of Fatwa no. 7570

Q 3: I bought a Datsun car on a loan from someone and we concluded the sale agreement in the presence of witnesses. I wanted to get married in a week and so he gave me 15,700 Riyals in cash for the car from the total price of 25,000 Riyals. After a while I heard that exchanging money for money of the same type is Riba (usury). Now I am indebted for the car and he does not have the car, for he must bring it from Jeddah. If this deal included Riba, what am I obligated to do about it? Do I have to offer Kaffarah (expiation)?

A: If the reality is as you mentioned, this sale transaction is Haram (prohibited), because it is actually selling Dirhams for Dirhams, and this is the Riba that is prohibited by the Qur'an, Sunnah (whatever reported from the Prophet), and Ijma' (consensus of scholars). It is obligatory on you to return the Dirhams that you received from him, without any increase, due to the invalidity of the sale.

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Fatwa no. 10848

Q: Some people come to my car exhibition to buy one, two, or three cars, for example, for a specified sum of money. The purchaser pays the value of the cars, receives them, and even tries them out and moves them from their place while they are still in the exhibition. The purchaser may sell the car or cars which he has just bought from me to another person on credit. The second purchaser receives the cars, moves them from their place, and then offers them for sale either to me or to any other person. Am I permitted to purchase them? What is the correct way? Appreciate your guidance, may Allah guide you and reward you the best. Please send the answer in a letter to my address so that I can know what is right and what is wrong. It is worth mentioning that this kind of transaction is used in all car exhibitions. May Allah bless you.

A: If the first purchaser buys the car, possesses it, and then sells it on credit to another person who also possesses it, it is permissible for the second purchaser to sell the car to the first seller or to others. As for moving the car inside the exhibition, this does not entail possession by the new buyer. Accordingly, the sale is invalid because it has been made before possessing the car.

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(Part No. 13; Page No. 248)

Fatwa no. 12277

Q: I sell cars on credit and the installments are paid within two or more years. Five years ago, one of my friends asked me to sell him a new car by installments but I did not have any cars at that time. He asked me to buy a new car for him from the agency and then to give him its value after selling it in the market. Since he was very busy, he authorized me to do this on his behalf. I called him to come along with me when I purchased the car, but he told me that he has no time and appointed me to buy and sell the car. I found that the car costs 14,500 Riyals, which makes it a fruitless transaction in case of selling the car. This is because buying at this price and then selling it may cause a great loss for my friend. Therefore, I did not buy the car and I gave its value, which is 14,500 Riyals to my friend after lying to him. I told him that I bought the car from the agency and sold it in the auction at the same price. He believed me and thanked me. I previously agreed with him to take a certain amount as profit. Therefore, I wrote bills totaling 22,000 Riyals to be paid within two and a half years. This amount includes the cost of the car plus the profit which is 7,500 Riyals. My friend did not voice any objection as he was aware of the prices of cars.

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I am upset about this. Should I return the profit to my friend, give it in charity or just repent to Allah (Exalted be He)? I was patient with my friend for a long time until he repaid the debts. I am now adhering to the lawful ways concerning sale and purchase, and I avoid dealing in Riba (usury/interest). My behavior with my friend confuses me. I wish you would give me your opinion on this and advise me. May Allah grant you the best reward for what you do for Islam and Muslims!

A: You are not entitled to take the profit you mentioned as it falls into the category of selling some Dirhams with cash for more Dirhams on credit. This act is haram (forbidden) and you are obliged to return the extra amount.

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Fatwa no. 14572

Q: I have furniture in my shop. Sometimes a customer asks for certain commodities that I do not have. In this case, I go and buy it from the nearest shop. Secondly: I do not ask him to pay any portion of the price in advance until he receives the commodity. If the commodity does not gain his satisfaction, he can leave it. If he accepts the transaction, I tell him the conditions in order that the transaction is made with mutual consent of all.

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Is this transaction a kind of Riba (usury/interest)? Guide us to the Truth! May Allah reward you well! Peace be upon you!

A: Firstly: If you sell furniture in cash or in installments while possessing it, then the transaction will be valid.

Secondly: If you sell furniture in cash or on deferred payment while you do not possess it, then this transaction will be invalid. The Prophet (peace be upon him) forbade a person selling what they do not posses in the Hadith reported by Hakim ibn Hazam. He said: ("Do not sell what you do not possess!")

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Fatwa no. 14264

Q: I would like to inform Your Eminence that I want to buy a piece of land to build a house. This land costs one hundred-thousand Riyals. I cannot pay this sum at the present time. I would like Al-Rajhi Bank to buy this land for me. They will not pay its price to the owner except after a contract is signed between us and they take the necessary guarantees. Is this kind of sale permissible? May Allah protect you.

A: If the case is as you have mentioned, this kind of sale is not permissible. May Allah set right the conditions of all of us.

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The second question of Fatwa no. 4008

Q 2: My father deals in what is today called "credit". For example, he takes two hundred extra for each one thousand. Whenever someone wants to borrow some money, he comes to my father, then my father goes to the market and buys material for the same sum which the man asked for. For example, when someone requests 6,000 Riyals, my father buys material for the same amount and leaves it with the seller. Then, the debtor goes with my father to the market in the company of a scribe and two witnesses to buy the material from my father. The debtor sells the material again to the owner of the store and receives the sum in cash and the material remains in the store. Thus, he buys from the seller and leaves the goods in his store then, the store owner buys them again, but from the debtor. My father takes this Ayah as evidence for this transaction: ﴿When you contract a debt for a fixed period, write it down.﴾ **Is the meaning of the Ayah applicable now?**

A: First, if your father sells a commodity on credit for a deferred price before he buys it from the market, it will not be permissible because of the saying of the Prophet (peace be upon him): ﴿Do not sell what you do not possess.﴾

Second, selling something that equals 1,000 now for 1,200 on a fixed term is permissible because of the general meaning of saying of Allah (Exalted be He): ﴿O you who believe! When you contract a debt for a fixed period, write it down.﴾ **Third,** your father must possess the commodity after purchasing it for it to be a valid contract. It is authentically reported that the Messenger of Allah (peace be upon him) said: ﴿He who bought food grain should not sell it until he has measured it.﴾ Related by Muslim. It is reported from some of the Companions regarding food that he who buys it should not sell it before possessing it fully. Other narrations were reported concerning things that are more general than food, as reported in the Hadith of Hakim ibn Hizam which is related by Ahmad. He (Hakim) said: ﴿I said: O Messenger of Allah, I make some transactions, which of them is lawful for me and which is unlawful? The Prophet (peace be upon him) replied: If you buy something, do not sell it untill you have it fully in your possesion.﴾ Al-Daraqutny and Abu Dawud related on the authority of Zayd ibn Thabit: ﴿The Prophet (peace be upon him) prohibited to sell any commodity where it should be sold until merchants possess it in their stores and shops.﴾ The seven compilers of Hadith except Al-Tirmidhy related on the authority of Ibn `Abbas that the Prophet (peace be upon him) said: ﴿He who buys foodstuff should not sell it till he is satisfied with the measure with which he has bought it.﴾ Ibn `Abbas said: I think that all things resemble food in this regard. therefore, Hadiths confirm that it is not permissible to sell any purchased commodity except after the seller has possessed it fully. **Fourth,** if your father possesses the material, it will be permissible for him to sell it.

Fifth, he who buys from your father, should possess the commodity in order to be able to sell it in a valid sale. **Sixth,** there is no harm on the person who buys a commodity at a deferred price to sell it with an immediate price because he needs some money. This is according to the soundest view of the scholars. This is called tawarruq transaction However, he may not sell it to the person from whom he bought it at a lower price than what he paid.

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The second question of Fatwa no. 16014

Q 2: Car dealers sell cars with neither a license plate nor registration. The purchaser buys the car with the intention of selling it on credit to a third person. After that the car dealer purchases it back from the third purchaser. All these transactions take place while the car is still in the showroom. What is the ruling on this?

A: whoever purchases a car or any other commodity whether in cash or on credit, it is not permissible for him to sell it before he possesses it entirely. Taking possession of each commodity depends on its nature. The car, for example, is taken possession of by the purchaser taking it outside the dealer's showroom. If the car is purchased on credit, it is not permissible for the purchaser to sell it

to the same seller at a lower price than that at which he bought it. The reason for this is that it would be a usurious transaction. It is the same as `Inah sale (sale with immediate cash repurchase for profit) which is forbidden based on the Hadith related by Abu Dawud on the authority of Ibn `Umar (may Allah be pleased with them both) who said: I heard Allah's Messenger (peace be upon him) saying: ﴾When you enter into the 'Inah transaction, hold the tails of oxen, are pleased with agriculture, and give up performing jihad (struggle in the way of Allah), Allah (may He be Exalted) will make disgrace prevail over you, and will not withdraw it until you return to your original religion.﴿ Similarly, it is not permissible to sell a car before following the necessary procedures for selling it such as obtaining a license and registration because taking full legal possession of a car will not be achieved before then.

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Fatwa no. 15875

Q: We had been renting a shop for twenty years, after which the owner of the shop came to us and suggested that we buy the shop. We agreed on a certain sum of money, and gave him half of it. However, shortly after this, the owner of the shop made an agreement to sell the shop to another man, so the buyer came to us and asked us to give up the ownership of the shop in return for him giving us a sum of money. We agreed on this sum and we received the money from him and left the shop. What is the ruling on the sale made by the shop owner after he had agreed with us?

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And what is the ruling on the sum of money that we took from the buyer?

A: The first sale was valid. However, the second sale, after the shop owner had agreed with you was invalid, because he sold something he did not own. As for your giving up the ownership of the shop to someone else and taking money in return, there is nothing wrong with this.

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Fatwa no. 19014

Q: I am a farmer and I received a bill from the silos for the cost of the wheat I delivered in the year 1414 A.H. This bill is due by the month of April in 1418 A.H. However, as I am in dire need of money to pay some overdue debts and my debtors are nagging and giving me a hard time, I thought of buying a car in return for my money. The value of this car is for example 100000 Riyals and its owner demands 110000 Riyals, as the increase will be in return for the deferred term, namely, April, 1418 A.H. What is the Islamic ruling in this regard?

A: If you want to sell your share of deferred money by the government in return for a car or anything else, this is impermissible, because selling the debt on the part of whoever does not

own it is impermissible whether in return for a car or any other commodity, and as such, this kind of transaction is legally invalid.

However, buying a car or another good on credit then selling it for cash to fulfill your need, this is called tawarruq sale (selling by installments, then the purchaser selling the product to a third party for cash) and it is a permissible transaction provided that the purchaser does not sell it to the creditor from whom he bought it in the first time.

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The twenty-third question of Fatwa no. 19637

Q 23: is it permissible for a buyer to take profit for a commodity bought at the expenses of someone else who both gives him the profit and pays the price of the commodity to the first seller.

A: It is permissible for someone, who buys a commodity which comes into his possession after the sale contract is concluded, to sell it at a profit which he may receive even before paying the price to the first seller. The second buyer has to pay the price to the first seller.

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Fatwa no. 20104

Q: We are responsible for running an organization that belongs to our relatives. We bought some new cars, some of which have customs documents and some have car license applications. We are selling them by installments. Knowing that we have not transferred the ownership of the cars in our names at the traffic office, and we have not taken them out the salesroom. We sold them at the place where we bought them. We hope that through Allah and then through you we will receive the answer to our question as to whether this is Riba (usury) or not. If it is Riba, how can we free ourselves from it, bearing in mind that we have not received our profit yet. May Allah guide you. As-salamu 'alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: It is not permissible to sell cars, whether by cash or credit, by installments or not, until the ownership of the cars has been transferred to the new owner, and they have full possession of them. The first buyer should receive the cars, fully possess them, and transfer them into their ownership. getting the customs documents before possession and full ownership is not considered as acquisition or receipt. Therefore, selling a car based on the customs documents, before receipt and full possession, is considered to be an invalid sale. It is Haram (prohibited) to deal in this way, and it is obligatory that any sales conducted in this manner should be voided and any money paid should be returned to the payer. It is not Halal (lawful) to take money for these cars without a new contract being made after

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the ownership of the car is transferred to the new buyer and they have full possession of it.

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Second question of Fatwa no. 19722

Q 2: is it a condition for the possession of a purchased item to have it enter inside the warehouse, or it is sufficient to receive it in front of the company?

A: The correct possession of a purchased item takes place when it is conveyed from the place of the seller to the place of the purchaser. This is because the Prophet (peace be upon him) prohibited selling goods at the same place of their purchase before traders convey such goods to their own baggage. The foregoing is narrated by Abu Dawud and Al-Tirmidhy. Conveying the sold item by the purchaser to a place that does not fall under the disposition of the seller is sufficient in this regard for Ibn `Umar (may Allah be pleased with them both) said: (We used to buy food from riders without measurement, then the Messenger of Allah (peace be upon him) prohibited us from selling it until we transfer it from its place (i.e. the place where it was bought)) and in another narration: (During the time of the Prophet (peace be upon him) we used to sell food, and Allah's Prophet would send someone to us to order us to transfer it to another place first before selling it) and: (People used to purchase food from the caravan and the Prophet (peace be upon him) used to send them a person who would forbid the riders from selling that food until it was transferred to the place of sale) and:

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(I saw people being beaten during the lifetime of Allah's Messenger (peace be upon him) in case they bought the foodstuff at random (without weighing or measuring it), and then sold it at that spot before transferring it to some other place.)

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The first and second questions of Fatwa no. 19912

Q 1: A customer asked me to sell him a large quantity of commodities, but I do not have enough money to meet his demand of this commodity. Therefore, I asked him to give me half of the price in order to save it for him. Is this committing a kind of Gharar sale (uncertain sale)? Can I ask him to pay `Urbun (down payment sale) as a guarantee for buying this commodity in order not to bear the loss if he refuses to take the commodity? What is the valid `Urbun?

A: If you are a deputy for him in buying the commodity he wants, it will be permissible for you to take the whole price of the commodity or part of it from the person who asked you to buy it on his behalf. In this case, you have to buy it according to the specifications and requirements he determined for you. This is not a kind of selling because you do not possess the commodity at the time of deputation. It is also not a Salam sale (sale with advance payment) as the Salam is a contract for a defined commodity that should be tangible in order for it to be defined. Moreover, this commodity should be delivered at a fixed time in the future provided that the full price should be given to the seller at the time of signing the contract.

But if you agree to sell him this commodity and then you buy it,

then this transaction will be invalid. this is because one is not permitted to sell what he does not possess. Therefore, it is not permissible for you to hold a contract with him, take any portion of the price or receive `Urbun before possessing this commodity. `Urbun sale is permissible for he who sells what he possesses. In `Urbun sale, the buyer gives the seller or his deputy a sum of money which is lesser than the price of the commodity after signing the sale contract as a guarantee for selling in order for it not to be sold to another person due to them not paying the price. If the buyer takes the commodity, `Urbun will be regarded as a portion of the price. But if he does not take the commodity, the seller will be permitted not to give the `Urbun back to the buyer. This is proved by what was done by `Umar ibn Al-Khattab (may Allah be pleased with him). Ahmad said concerning `Urbun sale: "There is no harm in it as it was deemed lawful by Ibn `Umar (may Allah be pleased with him)." The Hadiths that reported that the Prophet (peace be upon him): ("Forbade the sale involving a down payment.") is a weak Hadith. It was regarded as a weak Hadith by Ahmad and others. Therefore, it can not be cited as evidence.

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Q 2: A person asks me for an out-of-stock commodity which is available at another shop. That shop sells it at 100 riyals. When the person asks me about its price, I tell him that it costs 150 riyals. The buyer does not mind buying it at that price. Is it permissible for me to buy this commodity at 100 riyals and then sell it for 150 riyals? Is it permissible to ask him to pay me the price of 150 riyals before I buy the commodity at 100 riyals?

Is it permissible to charge the 50 riyals as profit? If not permissible, what is the right course of action? Is this sale regarded as selling something which is not in the possession of the seller?

A: This type of sale involves selling items not in real possession of the seller. Accordingly, you are not allowed to sell this commodity to the buyer until it first comes into your possession. Once you take possession of it, it becomes permissible for you to sell it to him at an agreed upon and profitable price that may not be too much for the buyer. However, if the buyer entrusts you to buy him a certain commodity, it is not permissible for you to charge more money than the stated price of the commodity. There is nothing wrong, however, if he gives you money as a gift in return for your effort.

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Riba

(Part No. 13; Page No. 263)

The first question of Fatwa no. 9374

Q 1: What is the difference between Riba (usury/interest) and bribery? Does Islam disapprove of bribey? What is its rulings?

A: First, linguistically, Riba means "an increase". According to the Shari`ah (Islamic law), it is divided into two types: Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). Riba Al-Fadl is selling a measured item with another of the same kind of measured item for a greater amount. For example, gold for gold, silver for silver with the increase in payment in one of the exchanged items. Riba Al-Nasi'ah is selling a measured item with another item but the money is not paid at the time of signing the contract; whether the two exchanged items were the same kind or different such as silver, gold, or the corresponding in banknotes.

Second, We have issued a Fatwa regarding bribery, as follows:

Q: I agreed to receive a salary regardless of how little it was or unfair. After I started work, I found that the owners of the goods, those who check the goods (checkers), or their representatives who receive the goods, pay five or ten Riyals. This sum of money used to be paid to us as follow:

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1- We take this sum of money after doing our duties well. This money is paid willingly without forgery, increase, decrease, or preference of one person over anyone else.

2- We take money through asking directly or indirectly or through any other means which indicate that we want some money.

3- We take a sum of money after finishing our work, for example, we finish work at 9 pm but some of the checkers and owners of goods stay there to release their goods. Some clients might ask one of us to stay with them until they release their goods and then he pays an amount of money for the overtime. Keep in mind that our company does not object to workers staying late with checkers.

A: It is not permissible for you to take this money as it is using money unjustly. It has been authentically reported that ❨ Ibn Al-Lutbiyyah came to the Prophet (peace be upon him) who appointed him to collect Zakah (obligatory charity) from people. When he returned he said, "This (portion) is for you and this has been given to me as a gift." The Prophet (peace be upon him) stood

on the pulpit and said," What is the matter with a man whom we appoint to collect Zakah, when he returns he says, "This is for you and this has been given to me as a gift." Why did he not stay in his father's or mother's house to see whether he would be given presents or not? By Allah, whoever takes anything from the resources of the Zakah (unlawfully), he will carry it on his neck on the Day of Resurrection; if it be a camel, it will be grunting; if a cow, it will be mooing; and if a sheep, it will be bleating. The Prophet (peace be upon him) then raised his hands till we saw the whiteness of his armpits, and he said, "O Allah! Have I not conveyed Your Message!")

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(Agreed upon by Al-Bukhari and Muslim)

Taking money directly or indirectly is like asking for a bribe. The Prophet (peace be upon him) cursed the one who bribes, the one who is bribed, and the one who goes between them.

Moreover, you should not take money in return for staying late with checkers until they finish their work. This is because the work has to do with the organization which hires you and pays you money. Therefore, you should not take money from clients; rather, you have to ask your supervisors to give you additional work until the checkers finish their work.

In conclusion, the three sources from which you take money are unlawful and you have to get rid of it by returning it, giving it as Sadaqah (voluntarily charity), or spending it in some charitable projects.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The sixth question of Fatwa no. 9450

Q 6: Why is riba (usury) Haram (prohibited)?

A: A Muslim should submit to and express satisfaction with the rulings of Allah (Glorified be He), even if he does not know the reason for an obligation or prohibition. However, in some rulings the reason for a prohibition is emphatically evident as in the case of Riba. Riba entails unjustly taking advantage of the poor's circumstances and increasing their debt, not to mention the enmity and hatred it creates. Furthermore, dealing in Riba paves the way to abandoning lawful means of earning a living and solely relying on profits that come from usury in addition to other harms and evil consequences.

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The second question of Fatwa no. 9636

Q 2: It was said in one of the Hadith reported from the Prophet (peace be upon him) on the subject of

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Riba (usury/interest) that there are seventy-three forms of Riba. Please explain these forms in detail, so people can avoid them and be prevented from falling into them?

A: The Hadith stating that (There are seventy-three forms of Riba) was narrated by Ibn Majah from Ibn Mas'ud, and also narrated by Al-Hakim with the following addition: (The least of which is as abhorrent as a man having intercourse with his own mother and the worst of which is (violating) the honor and sanctity of a Muslim.) Both narrations were mentioned by Al-Suyuty in "Al-Jami' Al-Saghir". The first one was ranked as Da'if (a Hadith that fails to reach the status of Hasan, due to a weakness in the chain of narration or one of the narrators) whereas the narration reported by Al-Hakim was ranked as Sahih (a Hadith that has been transmitted by people known for their uprightness and exactitude; free from eccentricity and blemish). Al-Manawy said in "Al-Fayd", on the authority of Al-Hafizh Al-'Iraqy, that both Isnads (chains of narration) are Sahih (authentic). The meaning of "Riba" here is the sin incurred from dealing with Riba. Al-Tayyiby said that this opinion must be true for it to accord with likening it to a man having sexual intercourse with his mother. This is evidenced by the narration that says, (Riba is of seventy sins.) (Related by Ibn Majah)

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Third question of Fatwa no. 16875

Q 3: what are the items regarding which Riba (usury/interest) is prohibited?

A: Items regarding which Riba is prohibited are gold, silver, wheat, barley, dates and salt. Moreover, Riba is prohibited regarding whatever items that have the same `Illah (effective cause) of Riba for the six varieties which are mentioned above. Such `Illah is value with regard to gold and silver, and measurement along with having a taste concerning the rest of the categories according to the proper opinion of scholars.

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The first and second questions of Fatwa no. 3630

Q 1,2: is Riba (usury/interest) in any form unlawful for both parties, (the creditor and the debtor) or is this ruling confined only to the lender? If the debtor is not to blame, is this conditional upon a person's need and poverty or not? If it is permissible in case of need, what about those who are not in dire need and still want to take a loan from a bank dealing with Riba for a yearly interest where they could invest the money and achieve more profits than the stipulated interest,

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for example 50% a year? Hence, the profit achieved is the difference between the interest and the profit of investment which is 35% in this case. Is this permissible or not

A: Riba is Haram (prohibited) wherever it exists and whatever form it takes. It is Haram for both the lender and the borrower; rich or poor. Both are guilty of sin and indeed both of them are cursed. Whoever assists in this, a writer, a witness, etc. are also cursed, because of the general meaning of the Ayahs (Qur'anic verses) and sound Hadith indicating the prohibition of Riba. Allah (Exalted be He) stated: ﴿Those who eat Ribâ (usury) will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitân (Satan) leading him to insanity. That is because they say: "Trading is only like Ribâ (usury)," whereas Allâh has permitted trading and forbidden Ribâ (usury). So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge); but whoever returns [to Ribâ (usury)], such are the dwellers of the Fire - they will abide therein.﴾ ﴿Allâh will destroy Ribâ (usury) and will give increase for Sadaqât (deeds of charity, alms, etc.) And Allâh likes not the disbelievers, sinners.﴾ It is also narrated by `Ubadah Ibn Al-Samit (may Allah be pleased with him) that the Prophet (peace be upon him)

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stated: ﴿"Gold is to be paid for by gold, silver by silver, barley by barley, dates by dates, like by like, payment being made hand to hand. He who makes an addition to it, or asked for an addition, in fact deals in usury [Riba]."﴾ narrated by Muslim in his Sahih. Similarly, Abu Sa`id Al-Khudry (may Allah be pleased with him) narrated that the Prophet (peace be upon him) said: ﴿Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these, (gold and silver), do not sell something present for something to be later delivered.﴾ Related by Al-Bukhari and Muslim. It is also narrated by Imam Ahmad and Al-Bukhari that the Prophet (peace be upon him) said: ﴿Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, salt by salt, like by like, payment being made hand to hand. He who made an addition to it, or asked for an addition, in fact dealt in usury. The receiver and the giver are equally guilty.﴾ It has been authentically narrated on the authority of Jabir Ibn `Abdullah (may Allah be pleased with both) that he said:

("The Messenger of Allah (peace be upon him) cursed the one who consumes Riba, the one who pays it, the one who writes it down, and the two who witness it. He said they are all the same.") Related by Muslim.

The banknote in the present time has replaced the gold and silver currency of the past. As such, it takes the same ruling. Subsequently, it is incumbent upon every Muslim to suffice with that which Allah makes Halal (Lawful) and refrain from that which He makes Haram (prohibited). Allah gives many ways of ease for Muslims to earn their living lawfully, that the poor may be hired by others for labor or investing in another's trade by way of Mudarabah (giving an amount of money to trade with in return for a share in the profit) to get half the profits or a similar percentage, but not from the capital itself or a fixed dirhams of profits. Whoever is unable to work and is poor is allowed to ask for help and is entitled to Zakah (obligatory charity) and social security.

Secondly, the Muslim, rich or poor, is not allowed to take a loan from a bank at 5% or 15 %, or more or less, because that is Riba and is a major sin. Allah has made it so that one has no need of this because of the ways that He has prescribed, such as a means of earning Halal income by working as an employee for company owners, or as a civil servant in permissible work, or by dealing with the money of another on a profit-sharing basis.

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The first question of Fatwa no. 7301

Q 1: Out of our confidence in your knowledge and piety, I ask you to issue a Fatwa regarding a matter in which every Muslim is interested, especially Muslims who live in Europe. After examining this matter carefully in books of Fiqh and tracing back what was mentioned in various Islamic conferences in this regard, the board members of our charity assembly hold two views in this regard. is bank interest usury or not?

The first opinion states: Bank interest, whether little or much, is part of usury. A Muslim must not consider them lawful, especially for a charity assembly. This is according to a fatwa that was issued by Senior Muslim Scholars in various Islamic conferences. Although the matter is doubtful, it is better to keep away from such interest, acting upon the saying of the Prophet (peace be upon him): (Both legal and illegal things are obvious and in between them are (suspicious) doubtful matters which are not known by many people...) Loans should be paid without any increase or decrease, countable for countable, weighted for weighted and what is gauged for what is gauged.

The second opinion states: In order to protect Muslims' wealth against decrease in value as a result of inflation (purchasing power); it is necessary to compensate this shortage through investment which is not easy because we are not a specialized financial body. Therefore, it will be better to preserve them in a bank in return for interest that is less than

the percentage of inflation in prices so as to make up for part of the resulted loss. The second opinion stated the following example: If someone borrows an amount of dry dates from another person and their price at that time equals 100 Riyals, what is the ruling if the time of payment is due and the first person has no dry dates. He wants to pay its price and the second accepts that. When they ask about its price in the market, they find that it equals 150 Riyals while they know that the price at the time of borrowing was only 100 Riyals. Should the second person accept 150 Riyals or should he only take 100 Riyals? They also argue that in the early period of Islam, money was gold and silver and each unit had a fixed weight because it is a commodity by its own which has a value that increases and decreases according to market prices. This is not applicable to banknotes for they are just pieces of paper which have no value of their own.

This is a brief outline of both views. Unfortunately, they did not reach a legal ruling on the issue of bank interest because they did not obtain the written documents of the Fatwas issued by the Islamic Conferences and the Muslim scholars who consider that such interest is prohibited. Moreover, we know of no scholar who discussed the issue of inflation and the legal ruling concerning it. This was the point that made both parties adhere to their own opinions.

For further information, we will put the question to the vote on the general board the following March in order to decide what should be done. However, we believe that there is no scope for voting in religious matters as long as there is someone who knows and is able to give a Fatwa,

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I hope that your Eminence will issue us a Fatwa before the end of February. I also need the written text of the Fatwa which is to explain this issue which faces Muslims today - to the members of the assembly. This is especially so in Western countries. I hope that the report of the general assembly will be in concordance with that which pleases Allah. May Allah reward you!

A: First, the soundest opinion is that equality and immediate exchange are prerequisites for the validity of usurious goods when they are of the same kind. When they are of different kinds, it is permissible to sell some of them at a higher price than others, but immediate exchange must take place at the same time that the contract is made, except if one of the two kinds is gold, silver or banknotes and the other is different. In this case, it is permissible to delay one of the two commodities just as in Salam sale (sale with advance payment) and credit sales.

Accordingly, the increase in one of the two commodities in return for the other is a kind of Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) when the two kinds are alike.

Second, Allah (Exalted be He) does not obligate us to deposit our money in banks with usurious interest in order to develop and maintain it. He (Exalted be He) also does not confine us to a specific way of lawful gains so that we have to resort to usurious dealings; but He legislates investment through business, agriculture, industry and other types of production and investment. In addition, Allah (Exalted be He) also explains what is legal and what is illegal.

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Therefore, whoever is able to increase his gains through lawful means, should do so and whoever can not, he should give his money to a trustworthy person who is specialized in investment to work with this money for a fixed percentage of the profits. This is called a speculative company, Muzara`ah (giving land for cultivation in return for a specified portion of the harvest) or Musaqah (giving planted or unplanted trees and land to be tended for a specified share of the fruit) according to the difference in the types of actions. These ways are the lawful means of gains and protecting wealth from reduction with the will of Allah along with the just distribution for profit and loss.

The claim of the second party that there is no other way to preserve wealth from reduction except by depositing it in bank that have usurious interest is untrue.

Accordingly, loans should be repaid in the same amount that was borrowed and this is absolute justice. The increase and decrease of the mentioned value may harm or benefit either side. Price fluctuation occurred during the time of the Prophet (peace be upon him) and he did not change the legal ruling which was set for Muslims.

The borrower may pay the value of the loan in its due time if the loaner is satisfied with that. It was related from Ibn `Umar (may Allah be pleased with him) that he said: ﴾We used to sell camels with dinars, and take the dirhams. We also used to sell dirhams and take dinars. Thereupon, the Prophet (peace be upon him) said: There is no harm in taking them at the current rate as long as you do not separate while something is still to be settled.﴿

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Related by Ahmad, Abu Dawud, Al-Nasa'iy, Al-Tirmidhy and Ibn Majah.

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The second and third questions of Fatwa no. 6904

Q 2 and 3: Is it permissible for someone to lend another person a number of forty sheep provided that after four years the latter gives him double the number he borrowed (i.e. 80) divided equally for each year. Is this considered Riba (usury)? If it is so, what should we do? May Allah reward you with the best!

Is it permissible to exchange a he-goat for two she-goats to be delivered on the spot or on a stipulated date? Enlighten us may Allah reward you with the best!

A: It is permissible to exchange an animal for another animal. Imam Ahmad and Abu Dawud narrated on the authority of `Abdullah ibn `Amr (may Allah be pleased with them both)

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that he said, (The Messenger of Allah commanded me to lead an expedition and to give soldiers camels, with which I was entrusted, to mount. I then assigned each of them a camel to mount till all camels were taken and there remained some soldiers without camels to mount. The Prophet (peace be upon him) then said to me, 'purchase for us some camels in return for some young charity camels under hand, which were to be substituted by others after we are done with the expedition.' I then would purchase one camel for two or three young charity camels which would later be substituted by others, until I have been done with the expedition. Later on, when the charity camels were collected, the Prophet (peace be upon him) compensated for those young camels we had taken.") Narrated by Al-Daraqutny. Narrated also by Al-Bayhaqy in the Sunan (Hadith compilations classified by jurisprudential themes) on the authority of `Amr ibn Shu`ayb from his father from his grandfather.

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Fatwa no. 20021

Q: I bought thirty sheep each one for one after a respite of seven years with an addition of one hundred riyals that I paid immediately. I then doubted the validity of what I did. I hope for Allah's help then I ask your Eminence to

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provide me with your beneficial answer please. May Allah safeguard you.

A: According to the view of the Jumhur (dominant majority of scholars), it is permissible to sell weightless and measureless items, such as clothes or animals, and the like for its type or other types equally or in Nasi'ah (conditional excess for delay of payment). This involves delaying one of the two returns or some of it and receiving the other on the spot to avoid selling a debt for a debt which is forbidden according to Shari`ah (Islamic law). However, it is a condition that the type of the delayed return, its number, and distinguishing characteristic are known. A certain date should also be specified for the delivery of such return to fend off uncertainty. A proof for the permissibility of the foregoing is what is narrated by `Abdullah ibn `Amr ibn Al-`As (may Allah be pleased with them both) who said, (The Messenger of Allah (peace be upon him) equipped an army with the camels of Zakah (obligatory charity) until there were no more left; some people remained without a camel. The Prophet (peace be upon him) said to me, "Buy camels for us (in return) for the camels of Sadaqah when they are brought, so that we can give these camels to them." Upon his saying that, I bought a camel in return for two or three camels of Sadaqah until I finished (equipping the army with camels). The Prophet (peace be upon him) later paid back the price of camels from the camels of Zakah.) (Related by Imam Ahmad in his Musnad (Hadith compilation) in the wording quoted above vol. 2, p. 171, Abu Dawud, and Al-Daraqutny who declared it as Sahih (authentic) Hadith). Moreover, Al-Hafizh Ibn Hajar commented on the same saying, "Its narrators are Thiqah (trustworthy)". Another proof is that which is mentioned by Al-Bukhari in his Sahih Book of Hadith vol. 3, p. 41; chapter of selling slaves and animals for animals in Nasi'ah. Besides, Ibn `Umar (may Allah be pleased with them both) bought a riding animal for four camels that he would pay later and their owner had to provide their saddles.

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Ibn `Abbas said, "One camel may be better than two". In addition, Rafi` ibn Khadij (may Allah be pleased with him) bought one camel for two but he gave the seller only one camel and said, "I will bring the other to you tomorrow leisurely In sha'a-Allah (if Allah wills)".

On the other hand, there are some Hadith that forbid selling animals for animals in Nasi'ah such as the Hadith which is related by Al-Tirmidhy in his Jami` (Book of Hadith compilation) from the Messenger of Allah (peace be upon him) on the authority of Samurah (may Allah be pleased with him) that, (The Prophet (peace be upon him) forbade selling animals for animals when payment was to be made at a later date.) However, Imam Ahmad considered these prohibiting Hadith as Hadith Ma`lulah (Hadith that appear to be sound, but thorough research reveals a disparaging factor in the chain of narrators or the text) and said, "None of these Hadith can be relied on". In addition, Abu Dawud commented that in case there is a contradiction between the Hadith which are narrated from

the Prophet (peace be upon him), we have to consider the practice of the Sahabah (Companions) of the Prophet after the latter's death. There is a Tawatur (a significant number of narrators whose agreement upon a lie is impossible) of Sahabah and those who followed them to the effect that such a sale is permissible (i.e. sale of weightless and measureless items for its type or other types) equally or in Nasi'ah. Moreover, the Prophet (peace be upon him) enjoined it as mentioned above which ascertains the authenticity of the permissive narrations. Prohibiting narrations can not then oppose this. Consequently, it is permissible to sell thirty sheep each one of them for one sheep or more plus about one hundred riyal while providing receiving the one hundred immediately or when the thirty delayed sheep are received. The foregoing is permissible under the condition that the type of the delayed sheep, their distinguishing characteristics, their number, and the date of their delivery are known.

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Fatwa no. 3791

Q: Is it permissible to sell one meter of cloth for two meters, or two types for one type?

A: It is permissible to exchange cloth for cloth whether both are equal in amount or one is more than the other; whether they are of the same type or of different types, and whether the exchange happens at once at a later time, for cloth is not one of the usurious goods.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 18092

Q: This leter intends to inform your Eminence that in 22/10/1413 AH. a man sold one hundred bags of Indian coffee to another in return for 40,000 riyals to be paid by Muharram 1414 A.H. The two men agreed

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that the payment would be 50-ton lorry of wheat to be delivered by the buyer to the coffee seller. Please give us your Fatwa. Is this sale permissible or is it invalid and involve something unlawful? If this sale is invalid, does the buyer have to return the coffee to the seller? Should just have to pay off the value which is 40,000 riyals stated in the contract at the time of sale? May Allah reward you well and prolong your life.

A: If this took place upon their agreement at the time of the contract, this is not permissible as it is a way leading to Riba (usury), which is selling coffee to be paid for by food at a delayed time. This is known as Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

However, if they did not agree to that at the time of the sale and this is easier for them, there is no harm in that, since there is no means to Riba.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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The third question of Fatwa no. 18937

Q 3: Is it permissible to sell salt on credit (for a loan)?

A: It is not permissible to sell salt for salt except if they are equal in amount and are sold on the spot. As for selling salt for another usurious commodity such as wheat, barley, or dates, it is permissible for the amounts to be unequal but the exchange must take place before the two parties separate. It is related on the authority of `Ubadah ibn Al-Samit

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(may Allah be pleased with him) that the Prophet (peace be upon him) said, ("Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish as long as payment is made hand to hand.") (Related by Muslim)

Selling salt in retrun for money is permissible whether the exchange is instant or deferred.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 19245

Q: We own a factory that produces diamond jewelry and they are inlaid with precious stones. We would like to set a program to lessen the margin of losses which our customers incur when they replace this type of jewelry through exchange. This program allows our customers to exchange our jewelry for other diamond jewelry after deducting a small amount from the total price of the original invoice, which is equal to the value of the new jewelry. If they choose more expensive jewelry of the same type, then they have to pay the difference in price.

Therefore, we would like to know the legal ruling on this program before applying it. It should be noted that it is applied to many products in the market. May Allah (Exalted be He) grant all of us success to do what pleases Him

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and lead you to do the right!

A: If the reality is as you have mentioned, then there is no harm in the transaction you mentioned because it will not be a usurious transaction to exchange diamonds for pecious stones, and vice versa. This is so whether or not they are equal in value.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 2171

Q 3: is it permissible to trade my old car for a new one and pay the difference in value to the owner of the new car? In our country the owner of an old car goes to the automotive company and informs the dealers of his wish. Thereupon, the dealers evaluate both cars and after that the said person is required to pay the difference in value to take the new car, taking into consideration that they do not buy the old car unless the person purchases the new one from them. Is this kind of transaction valid or not?

A: If the case as you mentioned, you are permitted to give your old car to the company in return for a new one after paying the difference in value. This is not to be considered as two sales in one transaction, rather selling a car for another one by estimating the difference in value. This is not

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a form of Riba (usury/interest), because cars are not usurious goods.

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The third question of Fatwa no. 9809

Q 3: I have a car, and I want to exchange it for another one of the same model. However, the new one has two compartments and my car has one only. I will pay four thousand Riyals to the car owner in return for this. However, some knowledge seekers told me that this is considered Riba (usury). What do you think of this issue?

A: exchanging a known car with another one that is also known is permissible, whether they were of the same model and value or not, because cars are not of the types that entail Riba.

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Receiving monthly salaries from banks

The third question of Fatwa no. 5923

Q 3: What is the ruling on receiving monthly stipends from usurious banks where the university deposits the money for stipends, such as Cairo bank?

A: It is not permissible to deposit money in banks which deal in Riba, because this is collaborating in sin, and Allah (Glorified be He) forbade that as He said: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ This money should be taken and deposited in banks which do not deal in usurious dealings. If one can not find an Islamic bank and fears lest his money should be lost, he is permitted to deposit in such banks without taking interest.

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Fatwa no. 7197

Q: Please be advised that I was an employee in the Committee for the Propagation of Virtue and the Prevention of Vice (CPVPV) in Hanakiyyah. After retirement, I was given

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a pension from the treasury of Madinah. Then, I was referred to Al-Ahly Bank in Madinah, where I got my pension for some months. However, I heard that this bank could be dealing in Riba (usury). After a few months, I became sure of this (i.e. that it deals in Riba). If a person deposits money there, and they do not withdraw any of it until a year passes, the bank gives them 6%. So, I stopped taking my pension. What is the ruling on the money I previously got and the money I will get? Please advise, may Allah reward you and bless you.

A: If the case is as you have mentioned, there is no harm in the money you got from that bank. You can also go on receiving your pension. There is no blame on you if the bank deals in Riba, because you do not take part in this. The sin is incurred upon those who have usurious transactions with the bank.

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Fatwa no. 16180

Q: We are frequently asked about the ruling on the bank taking ten Riyals in return for giving a person their salary. If a person is given a check with their salary to be cashed in the Bank of Riyadh, Madinah branch,

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but the bank is too crowded, so the person goes to Al-Rajihy Bank or Al-Ahly Bank with the check, and asks them to cash it. They ask the check holder to pay ten Riyals in return for cashing the check, and the bank in return withdraws the salary by the check given to them. Please give us a legal Fatwa (legal opinion issued by a qualified Muslim scholar) concerning this issue.

A: This deed is impermissible; it is considered Riba (usury), as it entails selling some dirhams for more dirhams.

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The second question of Fatwa no. 17527

Q 2: A man is a proxy for orphans to receive their father's pension from Al-`Araby Bank or Riyadh Bank, because their father was a government employee. He never dealt with banks in his lifetime, and the proxy does not want to take the pension from one of the mentioned banks. What is the opinion of Your Eminence in taking the pension from Al-`Araby Bank, given that both banks deal in Riba?

A: it is permissible for the proxy of the heirs to receive their father's pension through the bank, because it is one of their rights.

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Fatwa no. 16501

Q: We are governmental employees in this country which applies the Shari`ah (Islamic law). Lately, our administration began to give us our salaries in the form of checks to be cashed at Al-Ahly Commercial Bank. Our eminent shaykhs, may Allah reward them, have talked a lot about the systems followed in such banks, which made us doubt the legitimacy of this way of earning our salaries. Thus, we referred this issue to Your Eminence so as to advise us concerning the legitimacy of receiving our salaries through such a bank, given that we have other easy alternatives, such as cashing it through the treasurer of our company or Al-Rajihy company. The contract signed between the Post Office and Al-Ahly Bank states that the salaries shall be deposited in the bank in the first two weeks of every month, and they can be withdrawn starting from the 25th of every month, which means ten days after depositing them.

A: There is no harm in receiving the salary though the bank, because you take them in return for your job in a place other than the bank, provided that you do not leave it in the bank after it is assigned for you, lest it should be invested in usurious transactions.

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Selling Animals by Weight

The second question of Fatwa no. 3239

Q 2: Is it permissible to sell animals according to their weight?

A: Yes, it is permissible to sell animals according to their weight. In pursuant with Ijma` (consensus of scholars), it is also permissible to sell animals just by seeing them without having to weigh them. The food and inside-organs do not affect the permissibility of selling by weight, because they are part of a whole, so it is permissible to sell it by weight.

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The first question of Fatwa no. 3552

Q 1: In Algeria, we buy chickens according to weight, whether they are alive or slaughtered without removing the intestines. Is this permissible? The same applies to sheep, especially Ud-hiyah (sacrificial animal offered by non-pilgrims) as the farms

sell the sheep by weight. Is this Ud-hiyah Halal (lawful)? If not, would you please tell me the reason why? Does the prohibition apply to the Ud-hiyah only or to every living sheep bought according to its weight?

A: The basic principle is that transactions between Muslims are permissible except those which are forbidden by Shar`iah (Islamic law) by text. Hence, we know that it is permissible to buy chickens and sheep by weight, whether they are Ud-hiyah or not, and we know of no reason in Shari`ah that prohibits this practice.

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The second question of Fatwa no. 5395

Q 2: Some people used to sell animals such as sheep according to their weight. They defined a certain price as ten riyals for every kilogram. Is it permissible to sell a goat according to its weight while it is still alive?

A: It is permissible to sell sheep and other animals according to their weight while they are still alive whether the price is determined through the number of kilograms or other units of weighing. This is because the reason behind it is determining the value of the sold object which can be achieved through weighing.

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The fourth question of Fatwa no. 4306

Q 4: what is the ruling on selling live chickens according to their weight, and vinegar that contains 6% alcohol?

A: Firstly: It is permissible to buy chickens according to their weight. This is the basic rule. Moreover, we do not know any proof that contradicts this rule.

Secondly: It was authentically reported that the Messenger of Allah (peace be upon him) said: ("If a large amount of anything causes intoxication, a small amount of it is prohibited.") If a large amount of vinegar causes intoxication, a small amount of it is forbidden. It will be regarded as wine in this case. But if a large amount of vinegar does not cause intoxication because the ratio of alcohol is too small and has no effect, then it will be permissible for you to sell, buy and drink it.

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Dealing in usurious transactions with a justification

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The sixth question of Fatwa No. (11780)

Q 6: is it permissible for a Muslim to deal in usurious transactions in a society where the economy is based on Riba (usury/interest)?

A: A Muslim may not deal in usurious transactions at all even if the society's economy is based on Riba. This is based on the general nature of Nusus (religious texts) prohibiting Riba. Moreover, such a person has to resist such an evil as much as possible. If he cannot do so, he has to leave this community so as to abandon such an evil place and for fear that he might be affected by them.

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The third question of Fatwa no. 9275

Q 3: Some people deal in usurious transactions and say that Riba (usury/interest) falls under the rule that necessities making lawful that which is prohibited. What is the ruling on an indebted person who, having to either pay off the debt or be trialed, borrowed an interest-bearing loan?

A: It is absolutely impermissible to deal in usurious transactions.

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Fatwa No. (20002)

Q: We are a group of Moroccan Muslims residing in Germany. We leased a certain place to offer all the five daily Salahs (Prayers) therein plus Friday and `Eids (festivals) Salahs. Because of the large numbers of those who offer Salah therein, praise be to Allah, the German government banned us from offering Salah therein on account of it being narrow and located in an inadequate location. We now want to buy another large place outside the city which was approved by German authorities. In fact, the new location costs 3,5 million deutschmarks while we only have 1,5 million deutschmarks. May we take from the bank an interest-bearing loan for the remaining amount to buy this place? Does this fall under necessities? In case we buy it through such an interest-bearing loan, is it permissible for us to offer Salah therein till we find another place in this town to offer Salah therein? Give us a fatwa, may Allah reward you!

A: It is impermissible for you to take an interest-bearing loan. This is because Allah prohibited Riba (usury/interest) and gave a strongly-worded threat to those who deal in usurious transactions. Moreover, the Prophet (peace be upon him) cursed the person who consumes Riba, the one who gives it, the two who witness it and the one who writes it down. Thus, Riba is not permitted under any circumstances whatsoever. You may not buy the place to which you referred unless you have the financial ability to buy it without resorting to Riba. Moreover, you can offer Salah as best you can, in one congregation or separated into a number of congregations at different places.

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The first question of Fatwa no. 17314

Q 1: I read a recommendation by Dr. Muhammad Rawwas Qal'ajy in which he suggests to divide bank accouts into two sections: The first shall contain the money that a person needs frequently, and this money shall be deposited without interest. The second one shall contain the money which a person does not need for a long period of time; that to say for a month or more, and this account can have interest, however, it should not be taken; rather, given to poor and needy Muslims. He justified his opinion on the grounds that people are obliged to put their money in usurious banks since there is no other alternative, and moreover, people fear that the money may be stolen or damaged if it is kept at home. Thus, a person tends to put it in a bank to be safe from any unexpected event. In this case, usurious interest is earned, and a person is subject to three cases:

The first case involves taking bank interest, but this is assistance in sin.

The second one wastes money.

And the third one involves giving money to poor and needy Muslims, but in this case, a person will not be rewarded for giving the money; rather, he will just be safe-guarded from the sin of depositing money in the usurious bank.

Is this permissible? If yes, who would take this money? If no, where can people deposit their money? Should they leave it in the bank or give it to someone else?

A: The suggestion you mentioned is Batil (null and void) because it permits dealing with Riba (usury/interest) which Allah (Exalted be He) and His Messenger prohibited, and this has been agreed upon by all Muslims regardless

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of the reason. Charity should be offered from lawful earnings, as Allah (Exalted be He) is Good and accordingly, He only accepts that which is good. At the same time, there are many permissible means to invest money without dealing with Riba. Praise be to Allah for this.

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The second question of Fatwa no. 8420

Q 2: I know that getting a loan from a bank is Haram (prohibited) as it is regarded as Riba (usury/interest). My question does not deal with this point; rather I ask whether the warrantor of the person who takes out a loan is sinful. Knowing that this warrantor is religiously- committed, keen to avoid the forbidden acts and never dealt with Riba-based (usurious) banks.

A: Taking out loans from the bank with an interest is regarded as Riba which is Haram in Islam. It is impermissible for the warrantor to warrant the one who deals in Riba as this involves encouraging committing a forbidden act and helping in sin which is prohibited by Allah who says: (but do not help one another in sin and transgression.)

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witnessing a Riba-based contract

The first question of Fatwa no. 10426

Q 1: My uncle asked me to bear witness in one of the banks for a loan. This loan contains Riba (usury/interest). Moreover, my father and uncle are co-partners in this loan. I abstained from bearing witness for borrowing that loan. But this abstention caused some problems between my family and I. Therefore, I bore witness. But I am not satisfied with bearing witness for the loan or with myself. I am in great distress and confusion. What is the ruling on this case?

A: It is prohibited to bear witness for a Riba-based contract. You have to repent to Allah and seek His forgiveness for what you have done of this testimony for this usurious loan.

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The fourth question of Fatwa no. 2758

Q 4: It is known that Riba (interest) is Haram (prohibited) according to the Shari`ah (Islamic law). However, nowadays people's personal interests may force them to deal with banks to fulfill their needs. For example, if a person wants to submit a tender offer, they have to present a bank guarantee. The same condition is stipulated for importing goods or applying for goods insurance. Also, governmental institutions require a bank guarantee to allow a person to submit a tender offer; otherwise they will be excluded. What is the opinion of Your Eminence on this matter? What is the correct way?

There is a person bid his offer to governmental tender and he was asked to present a bank guarantee. Since he did not possess the required amount in cash, but in the form of real estate, he asked a bank for a loan in return for mortgaging a property and bringing a surety and on the condition of not taking interest from him. However, the bank refused and insisted on taking interest even though the man did not want to take the loan money; he only wanted to receive a guarantee, declaring (we guarantee that x institution has an account of y). The bank will only pay the amount of the loan if the person goes bankrupt or fails to continue in the project for any reason.

The bank stipulated 0.5% interest-rate for every three months on the loan even though the man offered to give them a specified amount of money that is almost equal three times the interest required but the bank refused this last trial of the man to avoid the Haram

where a fixed amount of interest for a specified period of time is stipulated. When the bank refused, he quitted the project and withdrew his offer, because he feared lest he should be sinful and thus lost his chance. What is the solution for this problem?

Your Eminence, how can a person earn a living from working in the field of construction for private and public projects which he is compelled to submit for such tenders? Can the saying, "Necessity permits prohibitions" be applied to this case? I again stress that the interest rate is 0.5% to be paid every three months and the beneficiary of the loan has not determined when he would pay it off, maybe after one, two or five months, or even after a year. Does the absence of this condition of Riba make the transaction lawful? It is a fixed interest but with an unspecified payment date. It is worth mentioning that the guarantee is presented by the bank for the period of the project but the beneficiary intends to sell some property and pay off the loan then put a deposit from his own money as the guarantee for the project. What is your opinion and the Shari`ah ruling on this?

A: It is obligatory to refrain from engaging in any transactions involving Riba or Gharar (uncertainty) such as insurance operations. Rather, a person should observe the means that do now have unlawful transactions, such as dealing in buying and selling available and lawful goods, or selling on credit,

Salam sale (sale with advance payment), and working in the field of construction for individuals or companies that do not entail what you have mentioned. Whoever fears Allah (Exalted be He), is sincere in their dealings and looks for their lawful means, Allah (Exalted be He) will provide them with sustenance from places where they could not imagine.

Allah (Glorified be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ Allah (Exalted be He) also says: ﴾and whosoever fears Allâh and keeps his duty to Him, He will make his matter easy for him.﴿ It is worth mentioning that there is no harm in obtaining a bank guarantee as long as the bank does not demand interest or grant the guarantee because of its trust in the beneficiary, the mortgaged property, or the surety.

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Fatwa no. 5969

Q: The National Bank of Egypt issues investment certificates (Group C). This certificate is bought from the bank and the person draws each month on all the certificates and the winner receives a large sum of money. The certificate owner has the right to redeem it at any time. What is the Shari`ah ruling on this huge prize given to the winner?

A: If the reality is as you mentioned, this transaction is a kind of Maysir (gambling)

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which is one of the major sins. Allah (Exalted be He) says, (O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansâb, and Al-Azlâm (arrows for seeking luck or decision) are an abomination of Shaitan's (Satan) handiwork. So avoid (strictly all) that (abomination) in order that you may be successful.) (Shaitân (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allâh and from As-Salât (the prayer). So, will you not then abstain?) Those involved in this transaction should repent to Allah (Exalted be He), seek His Forgiveness, abstain from that sin and get rid of its gains, may Allah forgive them.

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Fatwa no. 7094

Q: What is the Muslim scholars' opinion regarding the following transaction: (i) Mahmud was the surety for Karim, who had borrowed some money from Salah (employer) in return for doing a certain job. (ii) Salah get the loan

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in installments from the salary of Karim. (iii) At the same time, Mahmud guaranteed that Karim would do Salah's work in the best way. (iv) It is agreed on condition that Mahmud should take a share in Karim's gains from this job. What is the Shari`ah ruling on this case?

Note: The employer demands a bank guarantee, as the government obligates contractors to present bank guarantees for the loans they get and to ensure it is all executed properly. The bank acts on Mahmud's behalf who has a current account in it with more or less than the amount of the guarantee according to Mahmud's transactions. The bank does not offer any guarantees unless Mahmud has an account there or a frozen account whose amount is more than 40% of the guarantee. I would like to add that Mahmud did not lend Karim any amount of money, he just offered to be his surety for loan repayment and good execution. Mahmud did not take any interest from Karim but just a share in the profits in return for his guarantee the risk of loss.

A: First: The letter of credit involves three parties: the bank, the client, and the beneficiary; two compensations: the job and the amount of money; one cover, which sometimes be full or partial; and a commission paid by the client to the bank to ensure his commitment to pay,

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and interest for the amount paid by the bank on the client's behalf if the client fail to pay. **Second:** The bank guarantees the client in front of the beneficiary in return for commission, which is impermissible, because guaranty is not a property to be recompensed. Thus, it cannot be exchanged for money; it is only enacted to help others out of seeking the reward from Allah. **Third:** The bank takes interest from its client in case it pays the money to the third party on behalf of the client when the latter fails to pay on time. Such interest is called 'compensation' for delay and this is unlawful. **Fourth:** The bank makes use of the current account cover in its possession, which is not permissible, as it can either be a completion of the commission on the guarantee or an interest on what the bank paid or may pay on behalf of the client. **Fifth:** This shows that this contract involves Riba (usury), as it is concluded on the basis of paying money and receiving an additional amount in return for the guarantee. This combines Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess). Consequently, it is not permissible to issue this letter of credit.

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The second question of Fatwa no. 6605

Q 2: We have here in Egypt what is called an investment certificate sold by banks. It is called type (C) that has no interest. This means that if I buy a certificate and then want to return it to them, even after ten years, I will receive the same amount I paid. Then, the computer takes one of the numbers of these sold certificates all over the country to be the first winner. There are many winners. They can reach four hundred winners. The first winner gets twenty thousand pounds. Can I receive this money if I buy one of these certificates and become a winner? Will I be a sinner if I do that?

A: What you have mentioned in your question about the ruling of investment certificates is a kind of gambling and one of the major sins that was prohibited according to the Qur'an, Sunnah and Ijma` (consensus of scholars).

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Fatwa no. 8159

Q: I formed a partnership with other persons to buy a piece of land. I paid ten thousand Riyals

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but nothing of the land was assigned for me. My share of the profit after selling was ten thousand Riyals more than the capital. When I referred to the person responsible for selling the land to take my profit and the capital, he refused as the buyers did not pay the whole value of the land and told me they will take a long time to do so. Is it permissible for me to sell my share to the person responsible for selling the land or to another one at a price which is five thousand Riyals less of the profit? Does the ruling on this matter also apply if it's a building instead of land?

A: If the case is as you have mentioned, that you want to sell your share at a lesser price, it is impermissible whether you sell it to partners or others as this involves selling dirhams for dirhams with excess usury.

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Fatwa no. 10539

Q: I lent someone a sum of money which is, for example, sixty thousand riyals. This person is insolvent. Another person told me that he is ready to pay me half or one third of my loan provided that I transfer the whole debt to him in order to get it from the debtor. Is it permissible to do that?

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A: It is not permissible to transfer the loan you have lent to someone to a third person in return for receiving half or one third of your loan from the third person. This is a type of Riba (usury/interest). it is called selling a sum of money in return for another lesser sum of money.

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Fatwa no. 11052

Q: I owe someone ten thousand Riyals, but he procrastinates and delays payment. I owe another person ten thousand Riyals, and he came and asked for his money. I told him, 'Go and ask So and so – i.e., the first person – for the ten thousand Riyals that I owe you, for the ten thousand that he owes me, and I will give you two thousand Riyals extra, to make up for the delay in payment. In other words, I gave him twelve thousand Riyals in return for ten thousand. What is the ruling on that? Please advise me, may Allah reward you!

A: It is not permissible for you to refer the one who lent you ten thousand Riyals to the person who owes you money and is delaying repayment and to add two thousand Riyals to make up for the first's procrastination because this extra amount is Riba (usury/interest) which is haram (prohibited) according to the Islamic Shari`ah (Islamic law).

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First and second questions of Fatwa no. 3048

Q 1: What is the ruling on taking interest on riyals which are in the current banknote form. In other words, what is the ruling on depositing such riyals in the bank and receiving a percentage of profit for it, for instance, about 10%.

A: The ruling on banknotes in this regard is the same as that on gold and silver. It is Haram (prohibited) to deposit banknotes in a bank or the like for a big or small percentage of the deposited sum. Doing so is Riba (usury/interest) which is prohibited by proofs from the Qur'an, Sunnah (whatever is reported from the Prophet), and Ijma` (consensus of scholars).

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Q 2: What is the ruling on gaining profit from the value of the dollar on the condition that delivery be delayed? For example, someone buys a dollar at 3 riyals and 37 halalah and then sells it for an extra profit of 38 halalah provided that the delivery is delayed.

A: Dollars, riyals, sterling and other currencies are banknotes which hold the same ruling applied to gold and silver. Thus, it is prohibited to exchange banknotes for other banknotes of the same type whether with excess in the counter value or with a delay in delivery. However, it is permissible

to exchange a certain type of banknote for other different types with excess in the counter value provided that this takes place in a hand-to-hand transaction.

Accordingly, it is permissible to exchange dollars for riyals on the spot, no matter whether the amount is little or much. But it is prohibited to delay delivery in similar transactions, no matter whether the amount is little or much as this falls under the prohibited type of Riba (usury) known as Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

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Fatwa no. 19532

Q: We have a financial fund that is based on paying 500 riyals as a subscription for participating in this fund, then every participant pays one hundred riyals on a monthly basis. After a while, the money grew and the fund is managed by those who supervise it. The fund buys cars in cash and sells it in monthly installments at a higher price. Some of the participants of this fund and others buy these cars.

The first question is: What is the ruling on buying cars from this fund according to the manner mentioned above by one of the participants in this fund?

The second question: What is the ruling on a person who bought a car from this fund according to the manner mentioned above

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while he is one of the participants in this fund but unaware of the legal ruling on this issue? What should he do if he paid all the monthly installments or is still paying them?

A: If they found this fund on the basis that any of the participants in this fund can buy cars bought by the money of this fund, this will not be permissible because it will be similar to making two transactions in one sale. This kind of transaction is prohibited because it is a partnership and a commercial transaction at the same time. But if they did not stipulate to do so at the start, then it would be permissible.

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Fatwa no. 8265

Q: We have frequently heard Shaykh `Abdul-`Aziz ibn Baz saying that islamic Banks are permissible, and that their money is Halal (lawful) and unobjectionable. Is this correct? And Allah knows best. The second question involves Islamic banks which in fact and unfortunately twist the Shari`ah (Islamic law) under the claim of offering Murabahah Sale (sale with an agreed profit margin), whereas they are very different from Murabahah Sale, as these banks conduct the same transactions held by the usurious banks, through which they lend traders having no liquid-money in return for fixed interest, and this is incorrect, to be more precise: this is clear Riba (usury/interest), whereas in Islamic banks, these forms of transactions are held under the title of Murabahah Sale

as a trader goes to the bank, without having any liquid money, the bank informs him that they will not lend him money depending only on the fact that it is an Islamic bank, rather, they ask him about the goods, their types, purchase them then sell them back to the trader, on condition that he covers all the costs of this transaction: cargo, insurance, and any other transportation related costs. They take ten percent in return, and this is the form of the transaction by which Islamic banks deal with traders who resort to them to ask for liquid money. I would like to have the answer to this, May Allah reward you with good.

A: First: It is permissible to conduct transactions with banks that do not deal with Riba, whereas if they do, it is impermissible to carry out any transaction with them, and they are Non-Islamic Banks.

Second: The form of transaction that you have mentioned between the trader and the bank, under the title of Murabahah Sale, is impermissible, because the purchase of the goods by the bank for the trader is unreal, as this bank is not in need for these goods, rather, its objective is gaining the ten percent profit, and we have warned questioners from that several times before.

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The seventh question of Fatwa no. 19479

Q 7: Is it permissible for Muslims to buy a car or house furniture by monthly installments, bearing in mind that default on payment of installments at the end of payment period causes an increase in the value of the bought object? In fact, I heard many Muslims object to it.

The Fiqh Council in the Kingdom of Saudi Arabia permitted buying a car or house furniture by installments. Is it sound? Inform us, may Allah reward you good!

A: It is permissible to buy cars, furniture or any other commodity on credit for a price higher than that paid in cash, provided that it is paid by defined installments at defined times. Allah (Exalted be He) said, ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ Allah (Exalted be He) also said, ﴾whereas Allâh has permitted trading﴿ which includes both in cash and on credit sale, were it by installments or otherwise.

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Fatwa no. 10573

Q: I am a merchant who imports goods from abroad, from places such as Europe, Japan and China. According to the commercial system, I have to deal with banks, so I deal with a Saudi bank in Al-Madinah Al-Munawwarah and Jeddah. Following is how I deal with it: I travel to Japan, for example, to contract agreements with the manufacturing company on the commodity type, price and delivery date. I then receive a price and type bill from the company and return to K.S.A. where I give the bill to the bank which in turn sends a letter to the company of credit, i.e. indicating that the bank will pay the whole price on the company's delivering the commodity to steamers company, to be delivered to Jeddah Port for example. The company manufactures the commodity to order, approves it from relevant authorities and then delivers it to the streamers' company. On receiving a letter from the streamers company to the effect that it has received the commodity within a defined period and has delivered it to the Jeddah port customs, for example, the bank pays to Jeddah Port. (Here is the point of ambiguity.) Later, I go to settle it with the bank. If I pay the whole price, the bank takes a quarter riyal as interest per 100 riyals from me. If I do not pay the whole value, the bank takes an interest of 8 piasters per 100 riyals for every month. Thereafter, the bank gives me a letter to the streamers company and another to Jeddah port to deliver the commodity to me after paying fees. However, without such a letter from the bank I cannot receive the commodity as it is in the name of the bank not in my name. Thus, I cannot receive

the commodity without the bank's two letters, one to the streamers company and another to Saudi customs. Only then can I receive the commodity after paying the defined fees and sale contract becomes perfect that I can dispose of the commodity. However, if a part of the commodity's price remains due to the bank, it takes as interest of 8 piasters per 100 riyals for every month. In fact, this is how the bank deals with all merchants and importers in the Kingdom of Saudi Arabia as a whole. Please, be informed that no merchant may import commodities in large quantities except through a bank so that it is guaranteed that the commodity will be delivered untouched and correspondent to the terms agreed upon on ordering it be manufactured.

Please respected sheikh, give me a Fatwa on doing so. Is the interest, i.e. a quarter riyal per 100 riyals in case I pay the price in cash and 8 piasters per 100 riyals for each month on credit, taken from me by the bank Halal (lawful) or Haram (prohibited), bearing in mind that all the commodity's documents go to Europe in the name of the bank. May Allah protect you!

A: If this is the case that you make a contract with the bank to pay the price of the commodity in return for the abovementioned interest rate, which varies according to the amount you pay of the commodity price, it is Haram as it falls under Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess), Riba Al-Nasi'ah (usury of delay, conditional

excess for delay of payment) and guaranteeing it for a recompense.

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Fatwa no. 11313

Q: I gave a sum of money to a fruit and vegetable merchant in Alexandria. Knowing beforehand that such a merchant fears Allah, performs all his religious duties and that he trades in vegetables and fruits, I gave him a sum of money to invest. We both agreed that he gives me 30 pounds as a monthly profit per 1000 pounds. I am really confused. Is such monthly profit Halal (lawful) or Haram (prohibited)? Is it included under Riba (usury/interest)? Please, inform me so that I may find peace of mind and please Allah. May Allah grant you success in serving Islam and Muslims!

A: It is impermissible to give a fruit and vegetable merchant a sum of money and take a specified monthly profit according to the presentation mentioned above. Actually, such transaction involves Riba. It is permissible only when you agree on a common known percentage of the net profit such as half, one third or the like.

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Fatwa No. (9606)

Q: I bought a French equipment of the type BeCline from the Arab Car Agency for 430,000, paying a part of it in advance and the remainder by monthly installments of 28,000. In case there is a default on payment of any installment, according to the documents I signed, I will be charged an interest rate of 2%. In fact, I was not able to pay off all the installments in the three years period, and I still owe them 90,000. Please, inform me about the interest of 2%; are they entitled to it? Or, is it illegal so that I may not pay it?

A: If the reality is as you have mentioned, charging an interest of 2% in case of default on payment of the due installment falls under Riba (usury/interest) which is prohibited according to the Qur'an, Sunnah and consensus of scholars. Accordingly, it is impermissible for the Arab Car Agency to take it. Thus, such a usurious transaction is prohibited and illegal. Allah (Exalted be He) said: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿

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Fatwa no. 7199

Q: I took from a person 29,500 riyals instead of buying two Highlocks cars. I did not take the cars, but I received this sum of money instead of the cars on the basis of repaying it as 50000 riyals in a monthly installments; 2000 riyals per month. One month ago, I heard some scholars say that such a kind of dealing is Riba (usury/interest). They said that this kind of transaction is unlawful for the seller and the buyer. Therefore, I send this question to you to guide me to what pleases Allah (Exalted be He) in order to avoid His prohibitions and what brings His wrath. Is this kind of transaction considered Riba?

A: If the reality is as you have mentioned, then this transaction is forbidden because it is an exchange of a sum of money in return for a larger sum of money for a deferred period in the future. It contains Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) which are prohibited. You have to repent to Allah from this sin and you should repay him only the capital of his money. If you do that, Allah may forgive you and accept your repentance. Allah (Exalted be He) says: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿

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If you differ in this regard, you can go to court to solve this dispute.

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Fatwa no. 6119

Q: some retirees sell some of their monthly pensions. For example, they sell one riyal for one hundred and receive them in cash but the sold riyal is deducted throughout the lifetime of the seller. When the latter dies, the contract comes to an end and their children start to receive the full pension. What is the ruling on such a sale?

A: This kind of sale is not permissible. Rather, it is Haram (prohibited) because it is selling of money for money in which the exchange does not take place in the same sitting as the contract is made. It also involves inequality between the two returns while they are of the same type. Consequently, the sale which is mentioned in the question comprises both Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

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Fatwa no. 6696

Q: I paid to a Christian owner of a property located in Egypt a deposit of L.E. 3,500 (SR 10,000) for renting an apartment. I agreed with him to pay this amount in return for finishing the construction works in the apartment and in return for deducting a part from the monthly rent. Accordingly, I wrote a contract with that Christian person whom I dealt with under the difficult housing conditions in Egypt. Four years later, the owner did not deliver neither the apartment nor the money I paid. I learned that he traded in building materials and that he used the money taken from me and from many others in the construction trade without building any thing in the said building. Being helpless, I took the contract, the receipt of the deposit and other documents that prove my rights and went to the police station. I forced him to pay L.E. 1,000 in addition to the amount of the deposit for his delay in delivering the appartment at the same time that houses prices have risen. Actually I went to sign a contract of an apartment that is similar to the first one of the Christian owner and I paid L.E. 11,000 (SR 35,000) which is more than the price of the first apartment.

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With great effort, the Christian person gave me L.E. 4,000 on installments and L.E. 500 is to be paid to me by him by the end of the month. The question which is of concern to me is: am I permitted to dispose of this extra amount (L.E. 1000) or is it regarded as Riba (usury/interest)? May I use it in charitable ways like sharing in the expenses of my sister's marriage? Please answer me, may Allah reward you best!

A: If the reality is as you have mentioned, it is forbidden to take the extra money (L.E. 1000) because it is Riba, which is prohibited according to the Qur'an, Sunnah and Ijma` (consensus of scholars). You are obliged to return this money even if the housing prices have risen.

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Selling shares

Fatwa no. 4016

Q: What is the ruling on buying shares for more than one's capital? I bought some shares and sold them for a higher price. What is the ruling on this, given that I have some shares left?

A: If all or most of these shares are not money,

but land, cars, buildings and so, and they are known to both buyer and seller, it is permissible to trade in them, whether in cash or on credit, according to the general evidence on the permissibility of buying and selling.

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Fatwa no. 5149

Q: What is the ruling of Shari`ah (Islamic law) on selling the shares of joint stock companies, such as Saudi Public Transport Co. (SAPTCO), Qassim Cement Co., Saudi Fisheries Co. (SFICO) and other companies established by the state for the benefit of citizens? What is the ruling on selling the shares of these companies in cash? If it is permissible, what is the ruling on selling them in installments? A person, for instance, wants to buy a thousand collective shares for 160,000 Riyals. He pays 100,000 in cash, and the rest in the form of monthly installments for a year. Is this permissible?

A: If all or most of these shares are not in the form of money, but rather in the form of land, cars, buildings and so on, and they are known to both the buyer and seller, it is permissible to trade in them, whether in cash, on credit, or in installments, according to the general evidence on the permissibility of buying and selling.

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purchase of promissory Notes

Fatwa no. 5348

Q: I bought a promissory note of a face value of seven hundred thousand riyals from a man called M. M. Y. for a cash sum of three hundred thousand riyals. All those who knew about this matter told me that what I have done is Riba (usury/interest) or something that is Haram (prohibited). Please provide my colleague and I with your beneficial answer, enjoin us to follow the truth, and forbid us to follow falsehood. It may be worthy mentioning that I told my colleague that what we have done is impermissible according to what I heard but he did not comply. However, I have not received the delayed sum yet.

A: It is not permissible to buy the note which is mentioned in the question, i.e. the seven hundred thousand riyals promissory note for a cash sum of three hundred thousand riyals. This is because doing so is Riba which is Haram. Allah (Exalted be He) says: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger﴿

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Moreover, it is authentically reported that the Prophet (peace be upon him): ﴾cursed is the devourer (taker) of Riba, its payer, its scribe and its two witnesses. He said, 'They are all equal.'﴿

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The first question of Fatwa no. 18494

Q 1: There has been a recent increase in speculative ventures in selling and purchasing shares of companies like Makkah Construction and Development Co., Saudi Pharmaceutical Industries and Medical Appliances Corporation (SPIMACO), Food Production Co. (FPCO), Riyadh Construction Co., and other companies. Are these speculative ventures permissible?

A: There is nothing wrong in selling or buying shares in companies provided that these companies are known not to conduct usurious transactions and are real estate companies like construction, electricity and cement companies or other production companies. These companies should not be under construction.

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Bakr Abu Zayd	Salih Al-Fawzan	\`Abdul-\`Aziz Al Al-Shaykh	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 19819

Q: I have bought a number of shares in a Saudi Cement Company. The value of each share is 200 riyals. One month later, the value of the share rose and reached 220 riyals a share.

The first question: Is the money I get from selling these shares lawful? Or is it a kind of Riba (usury/interest)? Moreover, I received a purchasing certificate at the time of buying these shares.

The second question: At the end of every year, some of these companies working in the field of shares such as the Cement Company, Riyadh Construction Company and Jizan Agricultural Company distribute revenues among shareholders. Are these revenues lawful or considered Riba? Moreover, all of these companies determine the value of each share in advance. What will the ruling be if these companies do not determine the revenue of every share until they count the whole revenue at the end of the year according to what they have achieved of profits?

A: It is permissible to sell and buy shares of production companies such as

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the Cement Company and Agricultural Company because they are lawful properties. Therefore, if these companies make a profit, the profit they make is lawful. It is permissible to receive the revenue of these stocks because they are the outcome of lawful work which is the production of Cement and agricultural goods. The same applies to the Construction Companies, provided that these companies do not use capitals in usurious investments.

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Fatwa no. 6675

Q: Some people who want to buy cars go to a car exhibition and ask to buy a car in installments, and they pay a deposit. The seller adds a sum of money to this deposit, and buys the car for them. Then, they take from the buyer one third of this sum of money (which they add to the deposit), or one third of the remaining sum of money. As to the other third, they take 50 Riyals for each 100 Riyals. If for instance, the seller adds 10,000 Riyals to the sum of money, they earn 5,000 Riyals as profit, given that this transaction took place before the buyer owns the car.

A: If the case is as you mentioned, this transaction is Haram (prohibited), because it is selling dirhams for dirhams, which is the prohibited Riba (usury) according to the Qur'an, the Sunnah and the Ijma` (consensus of scholars).

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The seller has also sold what they do not own, and this was forbidden by the Prophet (peace be upon him).

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Fatwa no. 17489

Q: I have a building which needs some final finishing and furnishing. Recently, a firm has offered to complete this work with certain specifications for a set amount of money. I question if it is permissible for me to ask Al Rajihi Bank to finish the building with the same specifications and to pay the required funds on credit? Is it permissible for me to direct Al-Rajhi Company to the previous firm that offered to complete the work?

Give us your Fatwa. May Allah reward you .

A: If Al Rajhi Company or any other company will be financially responsible for finishing the construction work of the building on terms of al Qard Al-Hasan (interest free loan) with the intention of helping you with the building expenses, then you repay the loan without additional interest, there is nothing wrong with that. However, if the company asks you to pay more than what it paid to the company responsible for finishing the construction work, this is a outright Riba (usury/interest) and Haram (prohibited) for both

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you and the company itself, because (The Messenger of Allah (peace be upon him) cursed the devourer (taker) of Riba (usury/interest), its payer, its scribe and its two witnesses. He said, "They are all equal.") Related by Muslim in his Sahih.

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Fatwa no. 14085

Q: I am a merchant who sells commodities to major traders of the country and they pay by checks. When I go to the bank to get the value of a check the officers there refuse to give me the money unless I waive some of it. To give an example, in a case where the total value is one hundred thousand they request me to waive 20% or 15% which they take.

Major traders also request the same when I submit a check to them. This practice has become widespread amongst people. Is it permissible? If not, is it considered bribery or Riba (usury/interest)?

I hope that your Eminence will clarify the ruling on this issue according to the Qur'an and Sunnah (whatever is reported from the Prophet) and please write the answer on an official paper.

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A: It is impermissible for someone to sell a commodity for a specific price and take a check with the value thereof but the bank officer refuses to give them the due money unless a sum of it is deducted. The foregoing is a sort of bribery and Riba and the Prophet (peace be upon him) cursed the briber, the taker of bribes, the devourer of Riba, and its payer.

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Riba Al-Nasi'ah

(Part No. 13; Page No. 330)

The thirty second question of fatwa no. 18612

Q 32: Would you kindly explain the difference between riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment)?

A: Riba Al-Nasi'ah is derived from the Arabic root "nasa'a" which means to "delay" or "defer". This type of Riba falls into two categories:

First: Charging interest on the loan lent to an insolvent debtor. This category was commonly practiced in the pre-Islamic era. A person, for example, may lend another person a sum of money to be paid back on a specified date. When the date agreed upon is due, the creditor gives the debtor the choice either to repay the debt or defer repayment in return for charging additional interest on the principal.

Second: Exchanging two items of the same type which bear the common cause of Riba Al-Fadl while stipulating deferment of delivery of one or both of the exchanged items. An example of this includes exchanging gold for gold or for silver or exchanging silver for gold while stipulating deferment of delivery.

Riba Al-Fadl is derived from the Arabic root "fadl" which means "increase" or "growth". This type of Riba involves increase in either of the two articles subject to exchange. According to Hadith of the Prophet, six things are susceptible to Riba Al-Fad: gold, silver, wheat, barely, dates and salt.

It is prohibited to charge interest on such transactions where any of the above things are exchanged for articles of the same type. The same holds true with regard to exchanging two articles which bear the same common cause of prohibition. It is, for example, prohibited to exchange a kilo of gold of inferior quality for half a kilo of superior quality. The same is applicable in the case of exchanging a good type of silver, wheat, barley, dates, or salt for a poor type.

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It is only permissible to exchange articles of the above mentioned things provided that they are equal in weight and the exchange has to be made in a hand-to-hand transaction.

However, it is permissible to exchange a kilo of gold for two kilos of silver provided that it is a hand-to-hand transaction. This is because gold and silver are of different types. The Prophet (peace be upon him) said, ﴾Gold is to be exchanged for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, and salt for salt, like for like and equal for equal, payment being made hand

to hand. If these classes differ, then sell as you wish if payment is made hand to hand.) Narrated by Muslim from the Hadith narrated on the authority of `Ubadah ibn Al-Samit (may Allah be pleased with him).

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Fatwa no. 1970

Q: I borrowed four thousand riyals from someone. He wrote the bill with the amount of six thousand riyals to be paid in monthly installments of five hundred riyals per month. Is it permissible to do this?

A: this is a kind of selling Dirhams in cash in return for more Dirhams that will be paid at a definite time in the future. This is called Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess). The Qur'an and the Sunnah point out that these two kinds of Riba are prohibited. Therefore, it is not permissible to exchange four thousand Dirhams in cash for six thousand Dirhams that will be paid at a certain time in the future. The seller should not receive anything more than his capital which is four thousand riyals.

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If you dispute in this regard, you have to refer to the court. You should also repent to Allah and seek His forgiveness for this major sin. Allah (Exalted be He) says, ﴾And all of you beg Allâh to forgive you all, O believers, that you may be successful﴿

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First question of Fatwa no. 8982

Q 1: I am a laborer living in a government-owned house. In 1982, the Ministry of Housing issued a decree stating that if anyone would like to buy the houses where they live, they are permitted to do so. However, my wage does not exceed two hundred Algerian Dinars per month, and I provide for my wife, three children, my grandmother, my aunt, her two sons and her husband who is more than eighty- five years old. The governmental decree states that if the dweller fails to pay the total price of the house within a five-year period - which is 5900 Algerian Dinars - there will be a forty-five percent increment, i.e. interest, over the price, and as you are fully aware, there is a housing problem, therefore, I am very confused what to do.

A: If the case is as mentioned in the question, it is impermissible for you

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to involve yourself in such a transaction, because it includes Riba (usury/ interest).

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The second question of Fatwa no. 9947

Q 2: is it lawful to sell checks and bills, even for a lesser price?

A: Selling checks in the mentioned way is impermissible, as it is considered Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess).

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Fatwa no. 10612

Q: I am a governmental employee, and I am well-off. When anyone wants to buy anything, whether electrical devices, furniture, ceramics and such stuff, they come to me to go with them to the shop. They pay a deposit according to our agreement, which is one quarter of the value of the item, and I pay

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the rest of the money in cash. Then, the buyer pays me monthly installments for two years, in return for the 25% added to the value of the item, without counting the paid deposit. For instance, there is an item with the price of 100 L.E. The buyer pays one quarter of the price, which is 25 L.E., and 25% is added to the rest of the price, which is 75 L.E., in return for letting them pay the money in installments for two years. Thus, the total value of the item becomes 118.75 L.E. Is this considered a form of Riba (usury)? what is the lawful way to deal with the people who cannot afford to pay the price of the item in cash and on the spot? If there is an item where its price in installments is more than its price in cash, is this increase considered Riba, given that the owner of the shop will give the buyer a period of time, about two years, to pay its price?

A: If the case is as you have mentioned, this is considered Riba, because you paid 75 L.E. to the seller on behalf of the buyer to take more in return. The proper way is that you buy the item for yourself, and then sell it on credit for a higher price. If the item is defective, the buyer can return it to you, unlike the first case where you are not the buyer, but you just paid a sum of money on behalf of the buyer to take more after a certain period of time.

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Fatwa no. 18656

Q: We regret to inform Your Honor that Al-Gawf company for agricultural development is in debt. At the same time, it has agricultural bills with its deferred money due on silos in 1418 A.H. and 1419 A.H. The company would be subject to great loss in the event it does not pay the due debts. Many banks have offered to sell some certificates in return for discounting a part of its value. We hope that you will benefit us with your legal Fatwa in this regard. May Allah reward you the best.

A: It is not permissible to sell or buy the cash and deferred money bonds with less or more than its real value, because this is a crude Riba (usury/interest). This transaction combines two unlawful dealings, namely, Riba Al-Fadl (usury of excess: selling an item for another of the same type, on the spot, but in excess) and that of Riba Al-Nasi'ah (usury of delay: conditional excess for delay of payment) and both are Haram (prohibited) by the Qur'an and the Sunnah.

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Fatwa no. 18736

Q: We own a car rental office, and some of our customers delay their payments, which forces us to sue them in court. Doing so requires effort to follow the case and we have had to appoint a lawyer who charges a certain percentage, such as 15%. Is it permissible to add the costs of the lawyer's percentage and the percentage of the police banning of exit - from the country using our rented cars - to the customer's debts? We sometimes follow up the legal cases through a representative who is hired to attend lawsuits and at other times we attend them ourselves. Is it permissible for us to take the lawyer's percentage, keeping in mind that it is stipulated in the contract that we would pay the lawyer's charges if the matter was referred to the courts.

A: The normal case is that payment should be taken from the customers who owe these debts without any additions. It is not permissible for you to add the lawyer's fees to the customers' as you preserve your money and your interest. This would be considered Riba (usury/interest) which was practiced in the pre-Islamic period and this case is additions made due to delay. Since it is stipulated in the contract which was signed by both parties [the car rental agency and the client who rents the car] that the fees would be paid by the car rental agency, it is not permissible for you to take the fees from the customer as this is a Batil (null and void) condition and should not be considered.

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Fatwa no. 18761

Q: A cooperative society owns some real-estate and rents them. Some lessees delay paying the rent and others procrastinate wasting the society's money owned by many people; some are well-off and others are in need and they may be minors or widows investing their inheritance. Being in charge of the society, it is our duty to protect their rights. Thus, we have added a condition in the rental contract stipulating that the society has the right to annul the contract and demand clearing the property if the tenant does not pay the rent on time as stated in the contract. This is unless the tenant agrees to increase the rent written in the contract 10% during the remaining period. On the other hand, the tenant will get a 10% reduction of the rent written in the contract if they pay each year's rent in advance. We did that to encourage people to pay the rent. We want to know: if the two parties agree to this contract, does it contradict any Shari`ah ruling?

A: A cooperative society binding the lessee to pay an additional 10% in compensation for delaying the rent from its fixed date is not permissible. This is similar to Riba (usury) that prevailed during the pre-Islamic days of ignorance when a creditor would give the debtor the option between repayment and increasing the due amount.

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The first question of Fatwa no. 18048

Q 1: My father sold some camels for 6,000 Egyptian pounds to be paid after a year and stipulated that any delay after that date would bind the buyer to pay an additional amount of 3,000 Egyptian pounds. My father died before receiving the money, is this act considered Riba (usury)? If it is Riba, is it lawful for us to take this additional amount or not?

A: If the reality is as you mentioned, the additional amount of 3,000 Egyptian pounds to be paid by the buyer in case of delaying the repayment after one year is Riba and is unlawful to take.

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The first question of Fatwa no. 18706

Q 1: I bought some sheep fodder from a soceity on credit. I paid a portion of the price and the rest is to be paid in installments on fixed dates. Those in charge of the soceity stipulated in the contract that if I delayed the repayment, they would increase the amount by 5%. Is this increase

Riba (usury)? It is worth mentioning that they call this additional amount 'indemnity for repayment delay.

A: This condition is Batil (null and void), as it falls under Riba that prevailed during the pre-Islamic days. Whenever the repayment was delayed, the amount used to increase. Thus, this sale is Batil at the very start and you should avoid it. Allah (Exalted be He) says: (whereas Allâh has permitted trading and forbidden Ribâ (usury).) This is a form of Riba.

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Fatwa no. 18535

Q: What is the meaning of 'a debt for debt sale'? Is it applied to selling a commodity bought on credit to another on credit before paying its price?

A: A debt for debt sale means a delay for delay sale; it is not permissible. It takes several forms: (I) Selling the debt i.e. prices or goods, to the same debtor or another for a deferred payment.

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(II) Selling the capital paid in advance for Salam (sale with advance payment) sale e.g. the buyer pays one hundred dirhams as a price of some food and the like to be delivered after a year. When the delivery date is due, the other party may say: "I do not have food to give you but you can sell me the food for two hundred dirhams to be paid after a month or so".

As for selling the commodities you have in your possession for a deferred payment before paying their price, it does not fall under the debt for debt sale, as you are just selling a commodity that you have bought and had in your possession.

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Depositing

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The first and second questions of Fatwa no. 222

Q 1: What is the ruling on depositing money in banks for a fixed profit?

A: Depositing money in banks in return for a fixed interest is not permissible because this is a Riba (usury/interest) - based contract. Allah (Exalted be He) says, ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ and ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿ This amount of money that the depositor receives is not lawful and contains no blessing. Allah (Exalted be He) says, ﴾Allâh will destroy Ribâ (usury) and will give increase for Sadaqât (deeds of charity, alms, etc.)﴿ This kind of Riba contains Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) because the depositor pays a sum of money to the bank in order for it to stay there for a defined period of time in return for a defined profit.

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Q 2: Is it permissible to deposit money in a bank without taking any profits?

A: If it is possible that a person who has money deposits it in banks which are not likely to use them in forbidden sales, then it is permissible to do so. If this person is unable to keep the money safely at home and is unable to deposit it in

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a bank which deals in lawful transactions and he fears that it will be lost, he should do his best to deposit it in a bank that has the minimum of forbidden dealings.

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Fatwa no. 855

Q: What is your opinion - May Allah grant you success - about depositing money in banks that deal with Riba (usury/interest), and using the depositors' money in Riba- based transactions, knowing that these depositors can protect their money from theft by putting them in strong safes?

A: If the bank uses the depositors' money to conduct Riba-based transactions, at the same time when money owners can keep their money safe from theft and such things by means that do not involve Riba- it becomes impermissible for them to deposit their money in banks or any other entities that conduct prohibited transactions, by which they seek assistance in committing sins. This is because the means to evil is evil in itself, and helping to commit what is prohibited is Haram (prohibited), and this takes the same ruling of intentions.

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The first, second, third and fourth questions of Fatwa no. 1080

Q 1: Is an accountant for a foreign bank included in the Hadith: ("Allah curses the devourer (taker) of Riba (usury/interest), its payer, its two witnesses, and its scribe?")

A: Foreign bank dealings are interest-based transactions with borrowers, depositors, etc. Persons who work as accountants in such banks must handle the accounts of usurious dealings and write financial agreements between the two parties. Thus, a creditor is distinguished from the debtor. Therefore, accountants and their likes are included in the above mentioned Hadith as it applies to foreign banks and other usurious banks.

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Q 2: What is the ruling on working in banks and on the salaries paid to their employees?

A: According to what is mentioned in the answer of the first question, working in banks that deal in usury is unlawful because the employees are either scribes of usurious calculations, receivers of the money which is used in usury, givers of this money, holders or transferors of their securities from an office to another,

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or from a place to another or suppliers of services to people who work in the bank or outside it. Hence, they perform a direct or indirect unlawful act. The salary which the employees take for their work is prohibited.

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Q 3: Is depositing money in banks with or without receiving a profit unlawful? Is borrowing from banks and paying a profit for that loan for the sake of trade or consumption lawful?

A: Depositing money in banks and the like and putting this deposit under request or receiving it at a defined period in the future with a profit in return for depositing it is prohibited. Moreover, depositing money without getting profits in banks that deal in Riba (usury/interest) is also prohibited because, by doing so, you support them in dealing with Riba and help them in expanding their activities in this regard. But if you are forced to deposit your money in Riba-based banks out of fear of losing them or it being stolen, then one is permitted to deposit it in these banks. In this case, one can be permitted to deposit his money in such banks due to this necessity.

Lending the bank or borrowing from it is prohibited if it happens in return for a profit whether this was for the need of consumption, development, investment in the fields of trading, manufacturing or agriculture, or the like of other means of production. This is proved by the evidence that points out the prohibition of Riba. But lending the bank without a profit is permitted.

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Q 4: What is the ruling on dealing with a bank on a commission basis in return for bringing clients to deposit their money in the bank on interest basis? What is the ruling on the bank employees who

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calculate and register the amount of commission without participating in the process itself?

A: Dealing with Riba-based banks (banks dealing in usury and interest) by receiving commissions in return for bringing clients, who deposit their money in return for taking a percentage of their deposited money as interest, for example, is clearly unlawful. Also, carrying out any task related to this dealing, such as calculating or registering the amount of the commission, or counting, delivering, or receiving the money, is prohibited because it involves cooperation in sins and transgression.

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The second question of Fatwa no. 4682

Q 2: Is it permissible to deposit money in usurious banks for safekeeping against theft, then, take it when needed without interest and without paying fees for the depositing process?

A: It is not permissible to deposit money and the like in usurious banks and institutions, whether bearing interest or not, as it is a kind of supporting wrong and transgression. Allah

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(Exalted be He) stated: ﴾but do not help one another in sin and transgression.﴿ unless a person fears the money would be lost, seized, or stolen, and there is no way to protect it other than putting it in a usurious bank, then, only in such a case, is one allowed to engage in the lesser of the two evils.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 1532

Q: I deposited my money in a bank in Cairo and I requested that no interest be given. Nevertheless, some days later and after I had left Cairo to go to the Kingdom of Saudi Arabia, I received a letter from the administration of the bank telling me that a draw was performed on the serial numbers of those who deposited their money in the bank and my number was one of those that won financial prizes. I was told that I am a winner of five pounds a month for one whole year and I was asked to tell the bank officers whether they should add the five pounds mentioned above to my account or if I am going to receive them on a monthly basis. Is this also considered Riba (usury/interest)? In case I receive such money, should I spend it in Allah's cause (charity)? Is it Riba that I

deposit my money in the bank while I know that it trades with it along with that of the rest of the depositors but they define the profit that we will get while we do not assume any loss?

A: Firstly: it is permissible in case of necessity that you deposit your money in banks without receiving interest. However, it is impermissible to receive the financial prizes that your number won. It is Riba because this financial prize is only paid to you because you deposited your money in the bank. The fact that the bank calls this a prize or reward does not take it away from the realm of Riba for things are decided by their realities not their names. Had the bank not received your money and used it for its benefit, they would not have paid you the sum that they call a prize. Consequently, it is not permissible for you to receive such a prize.

Secondly: The profit that was defined to you in percentage out of your own capital that the bank trades with in addition to the rest of capitals is pure Riba. It is impermissible for you to receive it as well.

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The fifth question of Fatwa no. 2687

Q 5: Some people say that opening a bank account is regarded as a type of Riba (usury/interest). Accordingly, a Muslim is not allowed to deposit or transfer

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money through a bank nor should a Muslim work in banks. What is the ruling on these acts?

A: It is impermissible for a Muslim to deposit money in a bank for interest or to work in Riba-based banks as this involves cooperation in sins and transgression. However, there is nothing wrong with depositing money in the bank for no interest on the money when this is necessary. It is, however, permissible to transfer money through a bank in return for a charge that is paid by the client.

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Fatwa no. 3197

Q: What is the ruling on interest that is taken by banks? This has been a controversial issue here in Africa.

A: The interest that is taken by banks from borrowers, and that is paid to depositors, is prohibited Riba (usury/interest) which has been authentically prohibited in the Qur'an, the Sunnah (whatever is reported from the Prophet) and by Ijma` (consensus of scholars).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first and third questions of Fatwa no. 3830

Q 1: Is it permissible to deposit the money of underage children in a bank dealing in interest, whether national or international, and whether owned by Muslims or non-Muslims?

A: It is impermissible to deposit money in banks which deal in Riba (usury), unless it is a case of necessity. If they are obliged to do that to preserve the money, they should deposit it without taking any interest on the deposited money.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 3: is it permissible to ask for the interest on the money of a deceased person when taking the money from a bank? If this is impermissible, should the interest be left for the bank to benefit from, or is there any other action to be taken?

A: If a Muslim dies leaving money in some Riba-based (usurious) bank accruing interest, it is impermissible for the heirs or the deceased's family to take this Riba-based interest, for Allah (may He be Exalted and Glorified) prohibited Riba (usury/interest), and the Messenger of Allah (peace be upon him) cursed those who accept it, pay it, write for it, and witness it. At the same time, this interest should not be left to the bank; rather, it should be drawn out and spent at once in charitable projects, or acts of beneficence, like helping the poor, paying off the debts of an insolvent person, and so on. Whoever is in charge of this capital should draw it from the banks, as leaving it there is a way of assisting them in sin and transgression, unless the person is forced to do this. In this case, there is no harm in leaving it in the bank, but the interest should not be taken, as previously mentioned in the answer of the first question.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 4997

Q 2: Is depositing money in usurious banks permissible in the event a Muslim fears his money may be stolen or lost? What is the ruling on dealing with usurious banks in non-usurious transactions such as transferring sums of money to or from other countries, as our interest as Muslims lies in the hands of such banks?

A: Firstly, depositing money in usurious banks is not permissible even if the account is interest free, because it entails cooperating in sin and transgression. Allah (Exalted be He) stated: ﴿but do not help one another in sin and transgression.﴾ However, if the Muslim fears the loss of his money and finds no means to safeguard it other than depositing in a usurious bank, then he is permitted to do that but with no interest taken on this deposit as a means of doing the lesser of the two evils.

Secondly, dealing with usurious banks in terms of permissible dealings, such as transferring

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money is permissible when necessary. On the other hand, engaging in prohibited dealings with such banks is legally unlawful.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 15259

Q 2: In one of the banks in my home country I made a deposit on which a fixed monthly interest is taken. I knew from reading the answers to similar questions that interest is regarded as Riba (usury). what should I do with the interest that has been paid by the bank for my deposit? I hope Your Eminence will define the term Riba. May Allah reward you best!

A: We hope that Allah (Exalted be He) forgives you for the interest that you took before knowing that it is prohibited. You are obliged to get rid of the other interest that was taken after knowing the ruling on them. You should spend them in charity such as giving money to the poor and Mujahids (persons striving/fighting in the Cause of Allah) and repent to Allah (Exalted be He) for dealing in Riba, as He says, ﴿whereas Allâh has permitted trading and forbidden Ribâ (usury). So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge); but whoever returns [to Ribâ (usury)], such are the dwellers of the Fire - they will abide therein.﴾

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May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

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`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 18057

Q 1: Your Honor, it is well known that banks all over the world take the difference of interest i.e. the sum acquired from the loan interest which amounts to 16% from the value of the loan whereas the loan interest is 8%. As for the Kingdom of Saudi Arabia, most people do not deal with Riba (interest/usury), and by that their deposits are interest free deposits though the rate of loan interest is 16% of the value of the loan itself. This, in turn, has led to the increase of banks in our country. Am I permitted to ask for this rate (interest) to make use of it in spending on the orphans or give it to any charitable organization?

A: It is not permissible to take Riba-based interest from banks or other institutions under the pretext of spending it for the benefit of the poor, because Allah forbids Riba in all forms and gives stern warnings against those who deal in it. Furthermore, it is not permissible to give Sadaqah (voluntary charity) from such money, because Allah is pure and good, and He, the Almighty, accepts only that which is pure and good. However, if the said person takes the Riba-based interest, then he should spend it for the benefit of the poor to get rid

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of it, and not derive any personal benefit from it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 16576

Q: A man has ill-gotten money through interest. May Allah protect us and all the Muslims from it. Can he use it in charitable projects, such as establishing colleges of Shari`ah, schools of memorizing the Qur'an and others? Is it Haram (prohibited) or Makruh (reprehensible) to establish Masjids (mosques) using this money? Please advise, may Allah increase you in knowledge and insight!

A: usurious interests are Haram, as Allah says, (whereas Allâh has permitted trading and forbidden Ribâ (usury).) A person whose money includes Riba should get rid of it by spending it on what is beneficial to the Muslims, including constructing roads, establishing schools and giving it to the poor. However, it is impermissible to build Masjids using usurious money. A person should not take interest or continue taking them.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Member	Member	Chairman
Bakr Abu Zayd	`Abdul-`Aziz Al Al-Shaykh	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 19585

Q: Someone has a sum of money and wants to deposit it in a bank. He knows that banks will give him Riba (usury/interest) for that money. This man knows that this excess money is prohibited. But if he leaves it, the bank will take this money and make use of it. is it permissible to take Riba and give it to poor families without hoping for a reward? This is only to help these families make use of that money because they are in a dire need for money. Otherwise, the bank will make use of this money.

A: It is not permissible to deposit money in Riba-based banks in order to receive profits for any reason. This is because Allah (Exalted be He) forbade Riba and promised those who deal in Riba severe punishment. Moreover, the Prophet (peace be upon him) cursed those who devour Riba, those who give it, those who witness it and the one who writes it. Therefore, it is not permissible to take it under the pretext of giving it as charity because it is unlawful gain. Allah is Good and He therefore, accepts only that which is good.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5873

We conduct free trade businesses with Brazil. We possess commercial shops. At the end of each day we put our earnings in the bank for fear of theft. The value of the earnings decreases from time to time compared to the price of the dollar. For example, when I put 100 thousand Brazilian real, a sum equal to 380 dollars, their value is reduced and reaches 259 dollars within a month. The reason is that the value of the Brazilian currency is going down as a result of the general collapse of the Brazilian economy. Though I withdraw the same amount from the bank, the value of this amount has decreased. Prices of commercial goods are increasing against the devaluation of the real. The loss can only be compensated if we charge interest on the money we put in the bank. For example, the one hundred thousand reals become one hundred and ten thousand reals in case interest is charged. Thus interest compensates loss. What is your opinion? Answer us may Allah bless you! Is it permissible to charge this interest from the bank? We would like to add that Jews and Christians constitute the majority of population in Brazil. Among every thousand Brazilian citizens, there is one Muslim. Are Muslims prohibited to conduct usurious transactions with Kafirs (disbelievers)?

A: First: You may rent a bank strongbox for the purpose of depositing your money and jewelry and other things such as contracts and bonds. You should not help interest-based banks in making use of your money unlawfully.

Second: Suppose you have opened a current account in the bank for fear of theft, the purchasing value of your money will be

susceptible to increase and decrease according to the law of supply and demand and the prices of the world stock markets which are announced from time to time. Accordingly the purchasing value of your money may decrease at a time and increase at another time. Suppose that the purchasing value of your money is constantly decreasing, you, as a trader, may use it for trading purposes and thus you can guarantee to take possession of only an amount of money enough to meet your needs. The goods you are expected to be trading in will be subject to the law of supply and demand like all other commercial goods and real estate businesses. You may gain profit and may at the same time incur loss. It is not lawful for you to justify usurious transactions on the basis of their being conducted with a Kafir (disbeliever). You should be mindful of Allah in all your affairs and you should seek lawful means of earning your livelihood. Allah (Exalted be He) says, ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allâh, then He will suffice him.﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5998

Q: Would you kindly tell me your opinion concerning the following: i have borrowed a sum of money from a bank. It is 80,000 Riyals but they deducted what the bank called commission, fees or charges for official papers, which means that I did not receive the complete sum even though I paid the entire amount to the bank. I added part of this money to my trade but I regretted doing this. I wept and I seek forgiveness from Allah (Exalted be He) and I repent to Him from every sin. Could you kindly advise me regarding the expiation of this act. I am afraid of Allah's wrath and I fear for my trade to grow illegally due to the unlawful sum of money which I used. I appreciate your guidance. May Allah guide you!

A: This way of dealing is a form of usury which is one of the major sins. Its expiation is to seek the forgiveness of Allah (Exalted be He) and to be sincere in your repentance. In addition, you should regret what you have done in the past and not repeat that action again. May Allah forgive you for what you have done!

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 6594

Praise be to Allah and peace and blessings be upon His Messenger, his family and Companions. To continue,

The Permanent Committee for Scholarly Research and Ifta' has read the question that has been sent from the Medical Manager to His Eminence the General Secretary numbered 50 on 11/01/1404 A.H. wording:

I submit to your Eminence the inquiry of the Management of King Faysal Specialized Hospital regarding the money of the donation fund that exists in the hospital. This money is meant to help the patients and their attendants in cases of need. I inform your Eminence that the management of the social services administration in the hospital is in charge of offering financial aid, and giving them to every poor needy person and every patient who seeks help from the hospital. Our question is: Is it permissible to invest these sums in a bank provided that the interest or the investment rate returns to the original amount in the fund and is only used for needy patients and poor people? I hope that your Eminence would provide us with your Fatwa (Legal opinion issued by a qualified Muslim Scholar) in this regard.

The committee answered as follows:

It is impermissible to invest these sums whether they are donations or otherwise, even if the interest is intended to be distributed to the poor. However, it is permissible to invest them in a lawful way that does not include committing any prohibition such as dealing with Riba (usury/interest), gambling, corrupt invalid contracts and so on. It is impermissible to invest the sums collected

from Zakah (obligatory charity), and trade with them. Instead, they should be paid in the legal channels of spending Zakah as soon as possible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 7209

Q: I deposited a sum of money in the bank and received the amount of 10000 Kenyan shillings as interest. However, I did not use this interest for any personal benefit. I also took a Riba-interest loan from the said bank and officials there demand that I pay the due usurious interests i.e. 10000 Kenyan shilling. is it permissible for me to pay the interests i got from depositing my money in the bank in return for the loan interests?

A: Your depositing money in the Riba-based banks and taking interests is Haram (prohibited), and so is your taking a Riba-based loan. You are not permitted to pay the interests you got for your deposited sum of money in return for the loan interests, rather you should give this interest in charity , such as for the benefit of the poor and needy or renovating public facilities etc.

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Furthermore, you should repent to Allah asking His forgiveness. You must not deal in Riba because it is one of the major sins and fear Allah, as whoever does, Allah will facilitate his affairs.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

The first question of Fatwa no. 7495

Q 1: i have deposited a sum of money in one of the investment banks that are widespread here. In fact other types of banks, including Islamic ones, have no room here for they are subject to confiscation and insurance laws. Please be informed that I participate in no commercial activity to invest my money in as I work in a governmental job.

A: It is impermissible for you to deposit your monetary savings in usurious investment banks even if you participate in no commercial activity. In fact, this falls under participation in usurious investment and cooperation therein. Moreover, there is a multitude of investment methods other than banks, including trustworthy speculation companies.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa No. (7996)

Q 2: some people deposit non-interest-bearing deposits in different banks. However, these banks deduct a certain percentage of the deposit as administrative fees. What is the ruling on the percentage deducted bearing in mind that it is liable to decrease and increase based on the amount of the deposit?

A: If the reality is as you have mentioned, it will be unobjectionable In sha'a-Allah (if Allah wills).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The third question of Fatwa no. 8162

Q 3: I have dealt with a certain bank for 4 years. On requesting them to cover my balance when the balance is insufficient, which I will pay off as soon as possible, they agreed to do so provided that they add a coverage commission of about 10% of the amount covering

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the balance, to the debt. Please, inform me about such coverage; is it Riba (usury/interest) or not? Is it permissible for me to deal with them bearing in mind that I will not put such an idea into practice until I receive a detailed answer as I fear the consequences of committing something Haram (unlawful) and Allah's wrath.

A: If the reality of dealing is as you have mentioned, it will be pure Riba, which you have to avoid, as it is a major sin.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa No. (9080)

Q: The submitter says he has recently converted to Islam. He had bought a house before he converted to Islam through a transaction widely prevailing in the West. To clarify, he paid a certain amount of the price in advance and borrowed the remainder on credit. Knowing that a Muslim may not pay or receive interest, he inquires about the ruling on interest that he has to pay for that loan.

A: If the reality is as you have mentioned, the person in question should submit his new status to the authority from which he took the loan asking it to take back only the capital, i.e. without interest, as interest is prohibited according to Islam. Doing so is more precautionary and frees him from accountability for paying the usurious interest. If the borrowing authority approves of it, it will be alright, praise be

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to Allah. Otherwise, he will have to pay the interest stipulated in the contract he had signed before converting to Islam.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 10576

Q: The danish government urges parents to deposit 3,000 dollars in usurious bank accounts during the period their children study at primary schools, for example. Later on, when children are eighteen years old the government gives them 12,000 dollars for education and other expenses. Bearing in mind that it is not compulsory, Muslims deposit such sum of money in bank accounts for, according to them, a better future for their children. Is this permissible? May we refuse taking interest and take our capital only leaving the interest for the usurious banks? Is it permissible for Muslims to take the whole sum of money, then keep only the capital and give interests to the poor and the needy? Inform us, may Allah reward you!

A: First: Students' parents may not deposit such a sum of money in bank accounts to receive a greater amount after a period of time, were

it for educational purposes or otherwise. In fact, it falls under Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). However, since depositing is not compulsory, parents are free not to deposit their money as such.

Second: Supposing it has already happened, parents will have to withdraw the amount deposited along with interests in order to get rid of being a party in a usurious contract. Later, they have to keep the capital only and spend the excess in charitable and benefaction purposes.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 10690

Q: is it permissible to deposit money to be invested in an islamic investment bank? It is worthy mentioning that such a bank is not usurious, it does neither receive nor give interest. Rather, it invests its money in accordance to Shar`y (Islamic legal) rules. Profits from commercial activities of the bank, which may gain and may lose, are distributed by the end of every financial year amongst depositors and investors according to instructions.

A: If the reality is exactly what is mentioned in the question i.e. this Islamic bank

is not usurious and it invests its money in accordance to Shar`y rules, it is permissible for you to deposit your money in it to invest it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 10896

Q 2: What is the ruling on depositing cash at Al-Rajhy Company? Your Eminence mentioned previously that it is permissible to deal with it; do you still believe that?

A: If the company is still as it was and does not deal in usury with its depositors, then it is permissible to deposit money there otherwise let us know what happened so we can answer you.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13639

Q: I would like to tell Your Eminence that I am a Saudi student studying in Britain. We are charged with taxes by the British

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government, such as road tax, a tax levied on commodities other than foodstuff and children wear and a newly levied tax on municipal services presented by the city's municipality such as education, cleaning, swimming pools, parks, entertainment places and social services. In fact, we do not make use of most of such services being against the principles of Islam. We benefit only from services such as education, cleaning and children playgrounds. Nevertheless, we have to pay such a tax ranging from 3,000 to 4,000 Saudi riyals per year, i.e. about 300 riyals per month. Your Eminence Shaykh, my question is: is it permissible to deposit a sum of money in an interest-bearing deposit account? Such an account gives 12% annual profits, from which I pay such taxes. Since I cannot do anything in this regard unless I have evidence in compliance with Allah's saying: (So keep your duty to Allâh and fear Him as much as you can) I hope that Your Eminence will reply to my message as soon as possible so that I can act accordingly. Be informed that paying such taxes will add to my financial burdens. I ask Allah to prolong your life and bestow on you good health. Best regards.

A: It is impermissible for you to deposit money in an interest-bearing account to make use of interests in paying taxes you are charged with. This is based on the general purport of the evidence prohibiting Riba (usury/interest).

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 18548

Q: A relative of mine has a checking account with the Saudi Hollandi Bank, which incurs no commission or interest, praise be to Allah.

Dear Shaykh, my relative told me that the bank has developed a new system through which a checking account holder can get many benefits. The system consists of the bank awarding points if an account is held for at least one year. The points are counted on monthly basis, in proportion to the amount deposited, with a minimum of 25,000 Riyals. Therefore, the more money that is in the account, the more points it earns. These points can be replaced by commodities. For example, if you deposit 1 million Riyals for a month, you will earn 75 points, if you leave it for two months, it will be doubled. However, you must keep that money there for one full year, after which you will be given the choice to receive a commodity equaling about 10,000 Riyals.

Dear Shaykh, as I am afraid of falling into forbidden transactions and feel that the point system resembles Riba (usury/interest) I hope that Your Eminence will give us a Fatwa (legal opinion issued by a qualified Muslim scholar) on this matter and may Allah reward you with the best for helping us! Is this acceptable according to the Shari'ah (Islamic law)?

A: The abovementioned system is the very riba-based interest and changing its name does not change its reality.

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It is obligatory that Muslims should be on their guard against this and similar transactions, because Allah made Riba Haram (prohibited) and gave strongly-worded threats about it many times in the Qur'an. The Prophet (peace be upon him) also warned against dealing with Riba and cursed those who take Riba, pay it, write it down, and the two who witness it. We ask Allah to keep you and us safe from it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdullah ibn Ghudayyan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 1670

Q 1: is it permissible for a Muslim to deal with banks that add interest to deposits or lend money with interest?

A: A person is not permitted to deposit money in banks that give him a fixed yearly interest rate, or to borrow from banks that ask him to pay interest at the time when they agree about the terms of repaying the lent money, like for example to pay to the creditor interest equal to 5% of the loan. These two examples are Riba (usury/interest). They are prohibited according to the Qur'an, Sunnah and Ijma` (consensus of scholars). These issues are evident by Allah's favor.

One should not deposit money in banks, even without receiving interest, unless he is in a dire need for that.

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Otherwise, one is not permitted to deposit money in banks as doing so supports their owners to use their money in Riba. Allah (Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ If there is a necessity to deposit money in banks, then it will be permissible to do that. Moreover, it is permissible to transfer money from one bank to another in return for a fee. The additional money that the bank receives is permissible as it is taken as a fee in return for the transfer operation.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 2923

Q 1: What is the ruling on the following transaction: a person buys a commodity from someone and both parties agree to pay its price within one or two months. Therefore, the buyer signs a promissory note to the seller in which the price is registered, as well as the date of payment and the name of the purchaser. Afterwards, the vendor sells the promissory note to a bank and it pays the value of (the promissory note) in return for an interest taken from the vendor. Is this transaction permissible?

A: Purchasing a commodity for a fixed period in return for a fixed price is permissible and writing the price is requested by Shari`ah because of the general meaning of the saying of Allah (Exalted be He): ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ it is not permissible to sell the promissory note to a bank with an interest paid by the seller to the bank to take his money and the bank receives the sum that is written in the promissory note from the purchaser.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 6340

Q 2: My brothers and I do business with Japan. We deposit our money in a bank to be sent to Japanese merchants, who demand a reliable source of payment. The bank represents this source and this method is known as "credit". Is it permissible to deal with the bank in the said manner? Note that we do not take interest on our money; in it is impermissible, is there any other lawful way or should we quit this business?

A: It is not permissible to deposit money in Riba-based banks (banks dealing in usury and interest). As for bank transfers, if the other party requests this and there is no other way except through a Riba-based bank, it is permissible to remit money through it when necessary.

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Fatwa no. 5754

Q: A Muslim man came to me and asked me to lend him 3,000 Riyals. I asked him how much he would pay me in return for this, and he said that he had no idea. We agreed on 5,500 Riyals divided on installments for a year, 2,750 Riyals every six months. I had no idea that it is Haram (prohibited) to sell money for money. When I asked a friend of mine, he told me that it is Haram. What is the ruling on this?

A: This is the prohibited Riba (usury), as Allah says, (whereas Allâh has permitted trading and forbidden Ribâ (usury).) You should take your original sum of money, which is 3,000 Riyals. If you have taken all the money, you should return the excess to its owner if possible. Otherwise, you should give it as Sadaqah (voluntary charity) to the poor or other charitable forms.

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Fatwa no. 14310

Q: Before his death, my father used to own a small factory that manufactured ready-made clothes. As the factory went into liquidation, my father asked his partner to notify the tax authority that the factory had been liquidated so that no taxes would be exacted on the factory. But the partner did not do what my father asked him to. The factory remained closed for a long period of time. Several years later, the tax authority demanded payment of taxes for the past years during which the factory was virtually closed. Though it is true that the tax authority was not notified of the closure, the tax was improperly estimated. Tax officials did not believe us when we proved to them the factory remained closed during that period. They charged payment of an incredibly large sum of money. We told them that these taxes did not suit the profit rate of the factory during the period it was working. Moreover, they did not examine the account books of the factory. They set taxes randomly. Is that permissible? Do I have to accept that procedure? Some of my relatives told me to pay the taxes from the interest on the money I deposit in the bank. Is that permissible? May Allah reward you with the best!

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A: It is not permissible for you to use the interest charged on the money you put in the bank in paying the taxes.

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The second question of Fatwa no. 19209

Q 2: What is the ruling on a person who has a debt without interest, but if they become unable to repay the debt on time, they pay interest?

A: adding interest to a debt after it was not repaid in time is a clear form of Riba (usury) practiced in Jahiliyyah (pre-Islamic times of ignorance). It is definitely Haram (prohibited), and there are many known pieces of evidence on this.

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The sixth question of Fatwa no. 16013

Q 6: some banks have Islamic branches; however, the

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the head office deals in Riba (usury/interest). What is the ruling on dealing with the branch?

A: There is no wrong to deal with the bank whether it is a branch or a head office as long as the dealing is not based on Riba. Allah (Glorified be He) makes trade lawful and forbids Riba. The basic principle of transactions is the permissibility of dealing with banks as long as the transaction is not based on something that is Haram (prohibited).

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Fatwa no. 17200

Q: The question of opening several accounts for a charitable fund in the local banks has been thoroughly discussed with the aim of making it easier to receive aid and a means of zakah (obligatory charity) and Sadaqah (voluntary charity) and the like. Through these accounts it will be easier to contribute into the fund on the part of individuals, banks, and companies according to the proximity of each bank account to the different donors. We would like to present the issue to your Honor that you may guide us to what is best. May Allah protect and preserve you!

A: It is permissible for Al-Bir society and other charitable organizations to open bank accounts, if its purpose is as mentioned because this would facilitate making contributions for donors, but it is not permissible to open the account for making any forbidden type of investment and taking Riba (usury)-based interest on deposits. This is according the Hadith that reads: ("The Messenger of Allah (peace be upon him) cursed the devourer (taker) of Riba (usury/interest), its payer, its two witnesses, and its scribe.")

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Fatwa no. 18752

Q: Our institution has several bank accounts. One of them is for end-of-service allowances. This bank gives interest to the depositors with different percentages that vary according to the size and terms of the deposit. The bank also offers small loans, financial training programs, and participates in developmental projects with the depositor. In this way the institution receives more than three hundred thousand Riyals a year. This revenue may increase if it continues. What should we do regarding this matter in the present and the future? Please keep in mind that the bank benefits from the deposit more than the depositors. If we leave the interest, the bank would benefit even more. However, does the institution deserve to take this money to compensate any of its losses or should it be spent on the needy? .

A: It is not permissible to deposit money in usurious banks except when necessary. It is only permissible if a Muslim is forced to deposit his money in order to protect it. However, it is prohibited

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to take any interest. The points you mentioned in the question that the bank gives the institution different amounts of interest shows that this is purely Riba (usury/interest) which is prohibited in the Qur'an and the Sunnah. It is not permissible to take this interest as it is prohibited by Allah (Exalted be He) and His Messenger (peace be upon him). Therefore, neither the insitution nor the individuals should take this money. Instead, it should be distributed among the poor.

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Fatwa no. 15020

Q: The islamic Al-Bir Fund at King Fahd University for Petrol and Minerals is considered one of the oldest and most active charitable organizations in the eastern region. Such a Fund undertakes different tasks since it has been founded in 1397 A. H. An example of these activities is collecting donations for the poor people amongst those who are related to the university, for fighters in the Cause of Allah and orphans of Afghanistan, and for Muslims in Africa. Due to the fact that the Fund does not have any stable resources, the administration thereof is unable on many occasions to fulfill many needs that are raised to it by different bodies along with some Muslims from outside the Kingdom. The Fund agreed

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with the department of accounting to deduct specific sums of money from the salaries of the donators amongst those who are related to the university, according to their request, and transfer these sums to The Islamic Al-Bir Fund. Many benevolent people of the university approved the foregoing coordination that constituted important support to the resources of the Fund. Unfortunately, the accounting department at the university excused itself from continuing in providing this service. Since several years have already passed without the Fund being able to find a suitable alternative, some colleagues suggested that the Fund opens an account at the Riyadh Bank; the branch of the university that a big number of those who are related to the university deal with. It is suggested that the university deposits the salaries of its officers in the bank so that the bank will undertake the same task that was previously done by the accounting department. The purpose of such a suggestion is not to let the many benevolent people who like to support Jihad (fighting in the Cause of Allah) and poor people, miss any chance for doing this. It is important to clarify here that the Fund does not deposit any money in the bank through the account referred to above. The account is only a means to withdraw the concerned money on the spot regularly to be spent on charitable ways of disposition whenever this is possible.

It is expected that the bank gets two benefits from such account: First: Availing from the good reputation of the Fund with regard to Muslims who live in the eastern region. Second: Getting usurious profits that may result in the presence of the Fund money in the account for compulsory circumstances during holidays and the like. Also, opening this account by the Fund may justify opening accounts in usurious banks by similar charitable organizations.

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I hope that your Eminence will clarify the Shar`y (Islamic legal) ruling on the issue of opening an account in Riyadh Bank by the Fund for the purpose mentioned above. I would like to ascertain again that there is no alternative for achieving these kinds of transactions.

A: In case the matter is exactly as what is mentioned in the question, doing so is permissible and Allah knows best.

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Fatwa no. 17538

Q: I have an important issue that concerns me as well as stockholders and their children in the Experimantal National Organization for Pilgrims' Guides of South East Asian Countries. There are several questions as follows:

The first question: The organization has a huge sum of money, Praise be to Allah, and we currently deal with the Saudi French bank. After re-electing the board directors, another bank offered us a sum of money in return for shifting our transactions and dealing with it instead. We wish to inquire about the ruling on this. Please answer in written form so we can have ready evidence. May Allah reward you with good.

The second question: The organization's money is deposited in the bank in a current account, and in return for this, the bank has promised to pay off the rent of the building, and to provide some needs the organization has, in addition to carrying out the repair and maintenance work of some broken equipment. What is the ruling on this? Is it permissible to assign the bank to construct toilets, purchase some PCs and carry out the maintenance of cars?We know that the bank will not object to this, even if we ask for more, as this service is provided by the bank to all clients who have large deposits, but if we leave them, this money will return, along with its profit, to others outside the Kingdom, and it will be used against Islam and Muslims.

We hope that your Eminence would issue a written Fatwa (legal opinion issued by a qualified scholar) regarding these two questions, so that we can have the evidence against whoever argues and disagrees with us.

A: The answer for both questions is that it is impermissible to take Riba-based (usurious) interest on the money that is deposited in banks, whether it is in monetary form or in the form of other services like maintenance work, such as those provided to depositors. It is only permissible to deposit money in the bank out of necessity; without taking interest.

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Fatwa no. 9208

Q: I hope you will help me and many others in solving the problem of dealing with banks in this country; Ireland. I will give you a detailed account of bank transactions:

First:

There is no doubt that the banks here are Riba-based banks.

Second:

There is no other way for us but to deal with them, for the following reasons:

(i) Having or keeping cash at home endangers our lives.

(ii) Our due financial rights must be transferred to a bank account and there is no other way.

(iii) Here we deal with non-Muslims and the majority of them use bank checks and bills of exchange. It is actually hard for us to leave this way; otherwise that would waste our time and badly affect our the course of study.

(iv) Generally, there are many bank facilities that are not available outside banks.

(v) Traveler's checks, which are promissory notes bought from the bank and may be stolen or lost.

(vi) The money can be kept in a deposit in the bank and the bank does not invest it but charges us for keeping it. There is no bank facility in this case, which means we will not be able to deal with others.

Third:

When someone deposits their money in the bank, there are two options available:

(i) One may open a current account, thereby no definite interest percentage is fixed by the bank but there is no doubt that the bank uses money in usurious transactions. This means that our money will be involved in Riba and the bank will gain from these usurious profits.

(ii) One can open an accumulation account and obtain interest whose rate is fixed by the bank. In this case, one knows the exact amount of interest on their money and the bank benefits by investing the money for a longer time. The withdrawal procedures are more complicated than the previous type. Muslims who live here in Ireland differ regarding this issue. Should a Muslim open a current account and let the bank benefit from their money for the best interest of non-Muslims? In this case, a Muslim does not know if their money is involved in Riba dealings. Should a Muslim open an accumulative account, knowing the exact rate of interest, which they can withdraw and give to any Muslim in need? I do not mean to give them in charity but to benefit a Muslim is worthier than benefiting a non-Muslim. In this last type of account, a Muslim cannot be sure that the bank has not

benefited from their money. It is more likely that the bank

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has done so but it shares the interests with the client. Our Muslim brothers in charge of the Islamic center of Dublin give their Fatwa that it is better for a Muslim to keep their money in an accumulation account and benefit Muslims who are worthier than non-Muslims. What is the correct opinion, bearing in mind that individual accounts are much less than the organization's accounts?

Fourth:

Some banks only use local currencies while our money is transferred in foreign currencies; accepting that results in undoubted great loss on our part for the favor of banks but some a few banks accept foreign currencies on condition that you open a banking account to have local money, here another question is raised:

Is it permissible to open two bank accounts to avoid losing money or we only open one account and accept the losses no matter how much they are?

Fifth:

Since dealing with more than one bank makes things easier, is it permissible to deal with more than one bank, and will it be considered a necessary case just to save us the trouble?

Finally, let me summarize my questions: (1) What is the bank account that we should open; a current account or an accumulation account? (2) Is it permissible to open more than one account in the same bank to avoid loss of money? (3) Is it permissible to deal with more than one bank

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when necessary to make things easier?

A: First: It is Haram (prohibited) to deposit in banks dealing in Riba, except in the necessary cases without taking any interest.

Second: When you wish to exchange foreign currencies for local ones at the bank, you are not permitted to stipulate opening another account; this involves two sales in one, while the Prophet (peace be upon him) forbade making two sales in one sale, he said, ("A loan and a sale are not lawful (together).")

Third: Dealing with more than one bank without taking interest is acceptable when necessary.

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Fatwa no. 17317

Q: A charitable institution in Saudi Arabia accepts donations from people, whether individuals, companies or banks. They deposit the money in one of the national banks, so that the bank invests this money to their own interest, while the institution did not ask for this, and does not take anything in return for this. The institution

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asked the bank to donate a fixed sum of money, which is 3 million Riyals, on a yearly basis, in return for keeping the 60 million Saudi Riyals. They agreed to this, and they were committed to paying this sum of money every year, even if the donations are more or less.

Are these 3 millions donated by the bank considered Riba (usury)? Given that the bank owner might stop the donations if all the money is withdrawn from the bank. Please advise, may Allah reward you.

A: depositing the money of an institution in a bank, provided that the bank donates to it is considered Riba, because it takes the same ruling as a loan in which interest is stipulated; the reason for donation is depositing the money there; and the bank will stop the donations if the deposited money is withdrawn.

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The fourth question of Fatwa no. 3626

Q 4: what is the Islamic ruling on taking a loan from a usurious bank in order to build a modest house?

A: It is Haram (prohibited) to take a loan from banks or elsewhere with Riba, whether to build something or to spend it on food, clothing, or medical expenses

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or to start a business and earn more money, or any other purpose, because of the general meaning of the Ayahs (verses) that forbid Riba and the general meaning of the Hadith indicating that it is Haram. Similarly, it is not permissible to deposit money in banks and the like in return for interest.

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The second question of Fatwa no. 4047

Q 2: is it permissible to take a Riba-based (usurious) loan from a bank so as to open a store by which I can dispense with working in businesses that are managed by non-Muslims?

A: It is impermissible for you to take an interest-based loan from a bank or other financial institution for the above-mentioned purpose or any other reason because this kind of loan is regarded as a forbidden Riba (usury/ interest) according to the Qur'an, Sunnah and Ijma` (consensus of scholars).

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Fatwa no. 8356

Q: I married a woman and concluded the contract of marriage a year ago. Now I want to take her to my house, but before that I have to pay the agreed upon Mahr (mandatory gift to a bride from her groom). Due to my present condition and my inability to afford taking my bride to my house, I submitted a request for a bank to get a loan which I would repay on installments, but the bank stipulated that it should get an extra percentage over the sum of money loaned. I need this money badly to consummate my marriage and help me in lowering my gaze. Kindly, give me your Fatwa in this regard. May Allah reward you.

A: It is not permissible for you to take this loan. What you have mentioned about your need for the Mahr is not an excuse for taking a Riba-based loan from the bank or elsewhere. You must fear Allah, for "whosoever fears Allah and keeps his duty to Him, He will make a way out for (from every difficulty). Allah will provide him from (sources) he never could imagine. And whosoever places his trust in Allah, then He will suffice him. Verily, Allah will accomplish his purpose. Indeed Allah has set a measure for all things. We ask Allah to make things easy for you, relieve your distress, and grant you sufficient Halal (lawful) provision so that you have no need of anything Haram.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The third question of Fatwa no. 9422

Q 3: A poor Muslim who lives in a non-Muslim country can not find any one to lend him money and he is forced to borrow a sum of money from a bank and pay extra money as usury. Is it permissible for him to pay the extra sum (usury) to the bank due to his severe poverty?

A: He has no excuse to cover his needs through usury. He should seek another lawful means or move to a Muslim country if this is possible so as to cooperate with them in goodness and piety, preserve his religion against trials and cover his needs whether they are money or knowledge. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿ He (Glorified be He) also says: ﴾and whosoever fears Allâh and keeps his duty to Him, He will make his matter easy for him.﴿

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Fatwa no. 2256

Q 1: What is the ruling on someone who borrows a sum of money from the bank for the purpose of conducting commercial transactions and pays 9 % interest? Will the capital be considered as bearing interest? Is it the bank and not the borrower that bears the sin of interest?

A: If the reality is as you have mentioned, this will be considered a riba (usury)-bearing transaction. Both the borrower and the lender will be held sinful on account of dealing in Riba (usury). The borrower's need for money does not justify conducting usurious dealings.

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Q 2: is the profit of shareholders of a bank that deals in Riba (usury/ interests) also considered Riba?

A: Yes, the profit of a shareholder in a usurious bank is also Riba. Moreover, it is considered eating up one another's property unjustly. Allah (Glorified and Exalted be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ It has been authentically reported that the Messenger of Allah (peace be upon him) ﴾cursed the one who accepts Riba (usury), the one who gives it, those who witness it, and the one who writes it.﴿ Related by Muslim

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Q 3: if i have a debt and i want to pay it off, would it be considered usury if i were to take money from the bank in return for interest?

A: Both parties; the creditor and the debtor are usurers and sinners.

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Each should fear Allah and abandon Riba (usury/interests). They should repent to Allah (Glorified be He) and ask for His forgiveness. May Allah accept your repentance and forgive you. Allah (Exalted be He) says: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 1251

Q: what is the ruling on two people who are forced to take loans from commercial banks which charge interest on loans in the Kingdom of Saudi Arabia. Is such a transaction considered a form of Riba (usury)?

A: Muslim narrated in his Sahih (authentic book of Hadith) on the authority of `Ubadah ibn Al-Samit (may Allah be pleased with him) that the Prophet (peace be upon him) said, ﴾Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish if payment is made hand to hand.﴿

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Al-Bukhari and Muslim also narrated in the two Shaih on the authority of Abu Sa`id Al-Khudri (may Allah be pleased with him) who said: " The Messenger of Allah (peace be upon him) said, ﴾Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these, (gold and silver), do not sell something present for something to be later delivered.﴿ In another version, it is stated: ﴾Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, salt by salt, like by like, payment being made hand to hand. He who makes an addition to it, or asks for an addition, in fact deals in usury. The receiver and the giver are equally guilty.﴿ Narrated by Ahmad and Al-Bukhari.

Banknotes are undoubtedly susceptible to usury as they have taken the place of gold and silver. They are subject to Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). The first type of Riba materializes because the borrower takes a sum of 1000 riyals and the bank charges an interest of 200 riyals upon repayment. The second type of Riba materializes because the borrower takes and repays the debt with a conditioned interest to be paid some time later according to the agreement between the bank and the borrower. Accordingly, the kind of transaction as mentioned in the question above is considered an obvious form of Riba. Allah has threatened those who conduct usurious dealings when He (Exalted be He) says,

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﴾Those who eat Ribâ (usury) will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitân (Satan) leading him to insanity. That is because they say: "Trading is only like Ribâ (usury)," whereas Allâh has permitted trading and forbidden Ribâ (usury). So whosoever receives an admonition from his Lord and stops eating Ribâ (usury) shall not be punished for the past; his case is for Allâh (to judge); but whoever returns [to Ribâ (usury)], such are the dwellers of the Fire - they will abide therein.﴿ ﴾Allâh will destroy Ribâ (usury) and will give increase for Sadaqât (deeds of charity, alms, etc.)﴿

The justification of the two questioners that many people hold usurious transactions with banks is

groundless as it makes lawful what Allah has declared prohibited to His Servants. Lawful things can be easily distinguished from unlawful things. Allah will hold every one accountable for their deeds. Whoever does a good deed equal to the weight of an atom shall be rewarded on its account and whoever does an evil deed equal to the weight of an atom shall be punished on its account. Allah Alone is the One Whose help is sought.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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(Part No. 13; Page No. 393)

Fatwa no. 1803

Q: many muslims deposit money which exceeds their needs in bank savings accounts, and at the end of the year they find that the bank has added a sum of money to their account, which is interest on the money for that period. None of us doubt that this interest is prohibited and should not remain with our lawful money. The problem is that we know many poor Muslims, whether American or foreign students, who are in dire need of help and charity. Is it permissible to give this money to them instead of leaving it to the bank? The least that is said about this bank is that it is owned by the enemies of Muslims, and that kind of charity is not a substitute for lawful charity; rather, it is considered its equivalent.

A: It was narrated on the authority of `Ubadah Ibn Al-Samit may Allah be pleased with him that the Prophet (peace be upon him) said: ﴿Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these categories differ, then sell as you wish if payment is made hand to hand.﴾ Narrated by Al-Bukhari and Muslim in their two Sahih (authentic) books of Hadith, and on the authority of Abu Sa`id Al-Khudry (may Allah be pleased with him) that he said that the Messenger of Allah (peace be upon him) said: ﴿Do not sell gold for gold, except like for like, and do not increase one part over another; and do not sell silver for silver except like for like, and do not increase one part over another, and of these, (gold and silver), do not sell something present for something absent.﴾ ,

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And in another narration: ﴿Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, salt by salt, like by like, payment being made hand to hand. Whoever makes an addition to it, or asks for one, will surely be dealing with usury. The receiver and the donor are equally guilty.﴾ Narrated by Ahmad and Al-Bukhari.

There is no doubt that the texts of Qur'an and Sunnah (whatever is reported from the Prophet) that indicate the prohibition of both types of Riba; Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), have not differentiated between the occurrence of Riba between a Muslim and another Muslim or a Muslim and a Kafir (disbeliever) who is an enemy to Allah, Islam and Muslims, rather it has prescribed the prohibition of all Riba -based contracts, even if the two parties are of different faiths. What has been mentioned regarding the existence of many poor Muslims in America, and their dire need for help and charity does not permit taking Riba from banks or individuals to help them, and to relieve their distress whether they are in America or in any other country. This is not a necessity that permits what Allah has forbidden in the texts of Qur'an and Sunnah, as there are other means of charity upon which they can depend in order to meet their needs and relieve their distress.

Also what has been mentioned that the bank is owned by the enemies of Islam is not a reason to

take Riba from this bank, as long as there is a prevailing peaceful dealing in commercial and cultural aspects as well as the existence of mutual exchange of benefits between both parties.

Those who have hatred to the enemies of Islam, find it hard for them to be a source of earnings for the Kuffar (disbelievers), to support them in their worldly affairs, and help them in plotting against Muslims, should not originally put their money in (Kuffar) banks, so as to use it, benefit from it and depend on it in their lives, rather they should give it to others to trade with it and share the profit or without sharing if possible, but, if this is impossible, they can deposit their money in other than the banks of these enemies, without taking Riba. However, Muslims have started to establish Islamic Banks, and these have become easy for a Muslim to deposit in them, for they include keeping one's money safe and helping them to upgrade the Islamic banks that can suffice for the Riba-based banks, Allah is the grantor of success.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 5225

Q: Last summer, I had a conversation with some American Muslims and Muslim immigrants in America while I was visiting one of my relatives living there. In conversation, we discussed many issues; Riba (usury), bank transactions in America, interests, and the question whether they are Riba or not. We all agreed that Riba is Haram (prohibited) but the controversial point was about interest; is the variable interest given by banks on a weekly, monthly, or yearly basis

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lawful or unlawful? Is it Riba or not?

We also talked about projects and their benefits for man, the rich America that pays salaries to the unemployed until they find work, so there are no needy people who are forced to borrow; there is no exploitation on the part of the bank or the debtor in addition to the value of banknotes and their difference from the stable value of gold and silver, etc. To distil, we were unable to reach a unanimous opinion and thus decided to refer these important issues to you to decide the correct opinion. It is worth mentioning that there is no Islamic bank in America and it is not reasonable for the Muslim residents of America to invest in an Islamic bank in Egypt, for example, because of the long distance between the two countries.

A: According to the Qur'an, Sunnah (whatever is reported from the Prophet), and the Ijma` (consensus of scholars), the two kinds of Riba are prohibited; Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) and Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess). Allah (Exalted be He) says: ﴾O you who believe! Eat not Ribâ (usury) doubled and multiplied﴿ Allah (Exalted be He) also says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ Allah (Exalted be He) says: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger﴿ It is authentically reported in a

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Hadith Sahih (authentic Hadith) that ﴾the Prophet (peace be upon him) cursed the devourer (taker) of Riba, its payer, its scribe, and its two witnesses. He said, "They are all equal."﴿ It is reported on the authority of Abu Sa`id Al-Khudry (may Allah be pleased with him) who said that the Prophet (peace be upon him) said: ﴾Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these (gold and silver), do not sell something present for something to be later delivered.﴿ (Related by Al-Bukhari and Muslim) Thus, it is evident that the interest given to the beneficiary on a weekly, monthly, or yearly basis, at a variable or fixed rate, is regarded as Riba, which is prohibited according to the Shari`ah (Islamic law).

There is no harm in investment projects that are established on a correct and legal basis, such as Mudarabah partnership (speculative partnership, giving an amount of money to trade with in return for a share in the profit), since they are lawful and recommended transactions. Allah (Exalted be He) says: ﴾Then when the (Jumu'ah) Salât (prayer) is ended, you may disperse through the land, and seek the Bounty of Allâh (by working, etc.), and remember Allâh much: that you may be successful.﴿

Concerning paying salaries from Zakah money to the unemployed, it is obligatory on the rich to give their Zakah to poor Muslims, who are unable to earn their living, cannot find work, or their income is not sufficient to meet for their basic needs; in this case, they should be given Zakah that will suffice these needs. Allah (Exalted be He) says: ﴾As-Sadaqât (here it means Zakât) are only for the Fuqarâ' (poor), and Al-Masâkin (the poor)﴿

Regarding the non-exploitation of the bank or the debtor, it is not a matter of exploitation, but a matter of Halal (lawful) and Haram. Allah (Glorified be He) says: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ Allah (Exalted be He) does not specify a certain amount of profit to be Halal. How to violate the boundaries under the pretext of non-exploitation leaving Allah's commands and Shari`ah, and disobeying Islam i.e. submission and obedience to Allah (Exalted be He)? As for the issue of banknotes, the majority of the Council of Senior Scholars gave a decision to that effect stating:

The majority of the Council of Senior Scholars has decided that banknotes paper money is an independent sort of money. Thus, Saudi paper money is a sort of money and American paper money is another sort of money and thus, every form of paper money is an independent sort of money. Consequently, the following legal rulings are applied to paper money: **First:** Paper money is liable to the two kinds of Riba just as the case with silver and gold and other different sorts of money. This entails the following: (a) It is absolutely impermissible to exchange paper money for paper money of the same sort or of a different sort,

such as silver, gold, or on credit. For example, it is not permissible to exchange one American dollar for five Saudi riyals, more, or less on credit. (b) It is not permissible to exchange paper money for paper money of the same sort in excess, whether on credit or on the spot. For example, it is not permissible to exchange ten Saudi riyals in paper form for eleven Saudi riyals in paper form. (c) It is absolutely permissible to exchange paper money for paper money of different sorts on the spot. It is, thus, permissible to exchange the Syrian or Lebanese lira for a Saudi riyal in paper form or sliver, for more or less value. It is also permissible to exchange the American dollar for three Saudi riyals, or for more or less value, if this is done on the spot. It is also permissible to exchange a silver Saudi riyal for three Saudi riyals in paper form, or for more or less value, on the spot because this is considered bartering two different sorts even if they share the name but differ in reality. **Second:** It is obligatory to pay Zakah on paper money, if its value reaches the least of the Nisab (the minimum amount on which Zakah is due) of gold or silver, or if it reaches the Nisab when added to other money and commercial commodities possessed by their rightful owners. **Third:** It is permissible to use paper money as the capital in Salam sale (payment in advance) and partnerships.

The fact that there is no Islamic Bank in America and the long distance between the residents in America and the Islamic banks are not an excuse for dealing in Riba.

If a person has excess money, they can invest it in buying real estate, trading, or giving it to someone to use in business for a known profit.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 4843

Q: There is a person who did not know that Riba (usury) is unlawful, and he also did not act upon the teachings of Islam, but when he came to know that Riba is unlawful he acted according to the teachings of Islam. The problem is that he still has some money that he earned from the bank as interest. What is the legal ruling concerning him? what is the best way for him to get rid of this unlawful money which he still has? It should be noted that he no longer intends to deposit his money in the bank. We appreciate your advice. May Allah reward you best for serving Islam and Muslims!

A: He has to give this money in charity to the poor and the needy, for he has earned it from usury while he did know that it is unlawful.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 19492

Q 1: Some banks follow a so-called "Islamic" policy; they buy land and give it to us in return for certain conditions. They also agree with a contractor to reclaim it as we wish in a year or two. In return for this, they calculate an annual profit for themselves. If the borrower returns the money before the prescribed period, the profit of the rest of the period is deducted. Is this transaction done in an Islamic way? What do you think of this? Please advise, may Allah reward you.

A: If the bank buys and reclaims land for you, and charges you the capital, costs and interest, this is considered obvious Riba (usury), because it is a loan which yields an interest. Scholars unanimously agree that each loan which yields an interest is considered Riba.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Bakr Abu Zayd	Salih Al-Fawzan	`Abdul-`Aziz Al Al-Shaykh	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 11447

Q 1: I am a secondary school teacher and my salary does not cover the costs of marriage in my country. I need some money to get married. My brother was working abroad as a teacher; he made a good fortune and deposited it in a bank,

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which deals in usury. Within a specific period, my brother received a lot of interest from the bank. He has doubts that this interest is unlawful and wants to give it to me to cover the costs of marriage. My question now is: Is this money lawful for me? Would I be punished for it on the Day of Judgment? Is it permissible for me to spend it on the costs of my marriage then pay it back in charity in small amounts, on the basis that every month I should pay a small portion of my salary to the poor? For example, if my brother gives me 2,000 pounds, and I spend this sum on my marriage then every month I pay 10 pounds of my salary in charity till I pay back all the 2000 pounds. I do not want to commit a sin and be punished for it on the Day of Judgment. Allah (Exalted be He) is Good and accepts only that which is good. I appreciate your guidance. May Allah guide you!

A: It is not permissible for you to take this money unless you are poor. If you take it while you are rich, then you will have to pay it in charity.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 6469

Q: A savings and finance company was established in the late forties of last century. We were a few persons and agreed that each of us would pay one piaster for each share. Two of us were assigned to use the capital of these shares for sales and purchases.

The company began to grow and grow and had a structure and a board of directors. Many dealers participated and divided the company into shares where the value of one share equals one hundred Riyals. After the liquidation of the company, the share value is more than 6000 Riyals. The company has pieces of land which are submitted to the legal courts for judgment, and if they are proved to be owned by the company, extra value will be added to the value of shares. When I asked about the source of this profit, I knew that the company has shares in the bank of Riyadh and from the value of land which I bought, but most profits come from the bank. No simple shareholder like me can have knowledge about this. Is it permissible to take the mentioned sum or a part of it?

A: If the case is truly as you mentioned, then receive the initial capital and all its profits and you will take the capital and the profits with the exception of the usurious interest. You can give this interest for the interests to the poor and not benefit personally from it. You can know the percentage of profit gained through usury from the company's total profits. If it is not easy to know, ask an expert to estimate it for you.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'!

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The first question of Fatwa no. 6605

Q 1: There are many banks in Egypt; some are investment and others are not. The non-investment banks are Haram (prohibited) for sure but I need to know whether the interests of investment banks are lawful or not. Note that investment banks always carry out profitable projects such as construction, real estate, and many other similar projects.

A: If these banks invest the money they have in usurious transactions, commercial insurance, or the like, it becomes Haram for a Muslim to invest their money with them. Similarly, their profits or interests are Haram. Otherwise, the investment will be permissible and all profits are lawful.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Taking out a zero interest loan

Fatwa no. 7852

Q: Please tell me the ruling on taking out a loan from one of the

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banks that deal in Riba (usury), even though the loan has no interest whatsoever. Is it permissible to take out interest-free loans from these banks?

A: If the reality is as you mentioned; that you took free loan, this is permissible even if the bank gives usurious loans and deals with others in Riba, as your contract with the bank is independent of any other transaction.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fifth question of Fatwa no. 7458

Q 5: What is the

Islamic ruling on loans offered by the Nasser Bank

bearing in mind that we repay the loan without any increase but the bank deals in Riba (usury)?

A: If the reality is as you mentioned; you pay off the same amount of the loan without any additions and there is no condition of any additional money in case of delaying the payment, it is permissible to take the loan; otherwise, it is not permissible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his Family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 9881

Q 2: My father was a partner in a project for breeding cows whose initial capital was borrowed from a bank that provides the medical care and hay for the cows at a low cost and shares in any losses. My father will repay the capital he borrowed from the bank after 8 months plus seven percent interest. What is the ruling on the profit gained from this project? May Allah reward you best.

A: This is not permissible as this loan is to be repaid at an interest of seven percent. This includes both types of Riba (usury/interest): Riba Al-Fadl (usury of excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The fifth question of Fatwa no. 9062

Q 5: a person needed some money and could not find anyone to lend him any, so he took a loan from the bank, even though he knew that it deals in unlawful usurious transactions. He only intended to repay the value of the loan.

He did not intend to pay any interest. This has been his intention since he took the loan. Does this transaction involve Riba (usury)? Is it permissible for him to benefit from the loan he took from the bank for a year? I appreciate your guidance. May Allah reward you best!

A: If the situation is as you have mentioned, the person mentioned in the Fatwa has committed a twofold sin;

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dealing in usury, even if his intention was not to pay the bank interest, as well as fraud.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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\`Abdullah ibn Qa\`ud	\`Abdullah ibn Ghudayyan	\`Abdul-Razzaq \`Afify	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

Fatwa no. 7468

Q: Your Eminence knows that many Muslims have been infatuated by money especially the people of our country - may Allah protect it from all harm. Many public companies issue shares for shareholders to purchase. Many of these shareholders do not know whether it is lawful or not to deal in these shares. Therefore, we would like your Eminence to issue a Fatwa in this regard. May Allah reward you best! For more detail, these companies invest in industry, services, and trade, such as transportation and cement companies. However, these companies deposit their surplus money in banks in order to generate interest. The interest they take is added to the companies' profits and hence, to the public shares. We are very confused and hope you will issue a Fatwa in this regard. May Allah reward you best!

A: First, it is unlawful to deposit money in banks to generate interest.

Second, it is not permissible for a person to hold shares in companies that deposit their surplus money

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in banks to generate interest, if the person is aware of this.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 8715

Q: is it forbidden and an act of Riba to buy insurance from Riba-based Banks or take money from them for which they charge interest?

For example, the Cement Company, Electricity Company, Gas Company, the Agricultural Company in Harad, the Agricultural Company in Ha'il, the Agricultural Company in Al Qassim, Saudi Basic Industries Corporation (SABIC) in Al-Jubail, and Saudi Fisheries Company deposit the shareholders' funds in banks and receives from 6% to 8% interest per year. Authorities do not prevent them from this. Is participating in such companies Haram (forbidden), taking into consideration, these companies are not usurious? Please advice us, may Allah grant you the best reward.

A: If the case is as you have mentioned, it is prohibited for these companies to deposit money in these banks and to receive interest. It is also prohibited to contribute to such companies, even if they are not usury-based companies.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 7074

Q: As Director of Education in the region of Al-Jawf, some employees submit requests for loans from the bank provided that they will be paid in monthly installments from their salaries.

As a reference for employees, we have to sign the two attached forms. One of them is a pledge directed to the bank that we will deduct the stated installment on a monthly basis. The second is a pledge that we will deduct the installment from the guarantor of the borrower who must be one of the employees of the administration. As we face pressing requests from employees wish to borrow and whom the guarantee of the administration is the basis for receiving the bankloans, we hope you will explain the responsibility and the role of administration; the director, the accountant, and the bursar in terms of Islamic law, especially as the bank takes interest from the borrowers. May Allah preserve you and reward you.

Irrevocable Contract

Best regards, at the request of Mr. . . . . dated 15 / 04 / 1404 A.H. whereby we were authorized to deduct

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3000 Riyals from the employee's salary on a monthly basis starting from the salary of the Second Rabi` until the fulfillment of all his obligations to you. Therefore, we pledge ourselves irrevocably to deduct the installments stated above and send them to you monthly to pay the loan which you have issued for the mentioned borrower for the amount of 30000 Riyals (Thirty thousand Riyals). In case the borrower moves from this administration to another, we are committed to notify you in writing of his new placement. This agreement is irrevocable until we receive notification terminating the contract from your side.

Education Administration in Al-Jawf.

The official stamp

Bursar

Signature of the administrative director

Accountant's signature

A: If the case is as you mentioned wherein the bank takes interest on loans, the director, the accountant, and the bursar are not permitted to cooperate with them because of Allah's statement: ﴾but do not help one another in sin and transgression.﴿ The Prophet (peace be upon him) is also authentically reported to have stated: ﴾Allah has cursed the devourer (taker) of Riba (usury/interest), its payer, its two witnesses, and its scribe and he said: They are equal (in sin).﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'!

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 6941

Q: Please, Your Eminence, be advised that I took a loan from a bank other than the Real Estate Development Bank, which amounts to 30,000 Riyals. The bank gave me 28,000 Riyals, which I used to build my own house. After building, I inquired about the ruling on this. It was said to me that it is impermissible to take a loan from a bank other than the Real Estate Development Bank.

Please advise, may Allah reward you. Should I destroy the house where we live, and which was built using the money mentioned above? Is this money considered Riba (usury)? I bitterly regret this, as I had no idea until the house was built. Shall I leave it to Allah (Exalted be He)? Please advise concerning this.

A: If the case is as you have mentioned, this loan is Haram (prohibited), because it is considered Riba. You should repent, seek Allah's forgiveness, regret what you have done and be determined not to do it again. As for the house you built, you do not have to destroy it, but you can live in it or use it in any other way. May Allah forgive you your negligence.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

The first question of Fatwa no. 2767

Q 1: I am a Muslim working in the freight business. I wish to buy a truck that costs 30 million Cote-d'Ivoire Francs but I only have 5 million Francs. I called one of the truck companies and they told me the following: The company will get me a truck for 30 million Francs that I will pay in installments with an interest imposed by the company.

Is it permissible to go on with this transaction or offer?

A: Taking out a loan from the bank to be paid by the borrower at a certain time with an addition contracted by the bank and the borrower is Haram (prohibited) according to evidence from the Qur'an, the Sunnah, and Ijma` (consensus of scholars). Calling it a loan does not change the fact that it is a Riba (usurious) transaction. This is similar to the Riba that prevailed during the pre-Islamic time of ignorance which combined Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

However, if the company buys the truck at its own expense and after receiving the truck, it sells it to you for a fixed instant or deferred price to a certain time, there is no harm in that. Allah (Glorified be He) says: ﴾O you who believe! When you contract a debt for a fixed period, write it down.﴿ Allah (Exalted be He) also says:

﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his Family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 3146

Q: The Real Estate Development Fund offers loans for real estate investment purposes. These are free loans that reach up to 50% of any investment project's costs. They are repaid in installments pursuant to an execution certificate prepared after all the project's phases are complete. I applied to the Fund to take out an investment loan and when it was time to sign the contract with the administration, I was asked to pay 0.5% riyals of the project's total costs in advance. When I inquired about this percentage, I was told it was administrative fees and one of the main conditions in the loan regulations. They said there was no other way to obtain a loan except by paying this amount.

Is it permissible to pay this? What is the ruling if I ask them to deduce this amount from the loan itself?

The Committee gave the following answer: The Council of Senior Scholars

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has already discussed a similar topic and issued a unanimous decision no. 66 of 7/2/1400 AH, in which it said:

The Council has read the letter submitted to his Eminence Chairman of the Departments of Scholarly Research, Ifta', Daw`ah, and Guidance by owners of industrial projects in relation to the Saudi Industrial Development Fund charging people for 2% of the loan they take out as the service fees.

The Council has also read the reply of His Excellency, the Minister of Finance no. 3178/98 dated 29/6/1398 A.H. to His Excellency the chief of the Council of Ministers' Court explaining that the fees collected by the Fund are not interests on loans but a small return for the efforts of technical experts in studying the technical and financial aspects of the industrial project, counseling, and the like, which benefit the project owner and promote the project. All of this costs the Fund a great deal of money. The Council has also read section (d) of the second article in the contract - whose copy is attached to the letter - between the Fund and owners of industrial projects which states that according to this contract, the borrower agrees to pay the Fund - without any coercion - the fee of the loan which is about 2% of the loan each year.

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This fee is taken from the unpaid value of each loan.

After studying the matter, discussing and exchanging views on it, the Council reached this decision approved by the majority: **First:** These fees are frank Riba (usury), since they are paid in return for the loan given by the Fund to the project owner, as stated in section (d) of the second article of the contract between the two parties. If these fees are paid in return for the efforts of technical experts they will vary according to the technical and financial troubles of each project. In addition, these fees must gradually decrease in accordance with the amount repaid of the loan. **Second:** If those in charge of the Fund are able to evaluate the technical efforts and the technical and financial troubles they carry out for the welfare of project, the Saudi Development Fund has the right to charge for the costs of these studies or part of them but if the Fund gives them up to facilitate things for the project

owner, this is better.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his Family, and Companions.

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 2664

Q: I applied to the Saudi Industrial Bank for a loan to start a printing press business but the regulations of the bank impose 2% of the the loan on the borrower,

while the loan is to be paid off in full during the coarse of seven years. I did not like this condition and wished to avoid any doubtful matter. So I talked to the responsible people in the bank to find a way out. They agreed to put an estimate for the expenses of studying the constructional, electrical, and technical sides of the project and the costs of those who will travel to Germany to make sure of the prices of the machines that I have presented and the prices of the ready-made building blocks I intend to buy.

The Industrial Bank put an estimate of around 60 thousand riyals which we agreed to pay in advance. After all studies are complete, the bank will calculate its real costs and give me back the difference or claim any additional costs.

After the ending the study and taking final decision, the bank writes a contract with the exact amount of the loan without any additional expenses such as the 2%. The loan will be approximately 5 million riyals which will be repaid in installments for 7 years.

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Please give me your Fatwa regarding this matter. I hope Allah guides you to the right.

A: If the reality is as you mentioned, it is permissible to carry on with your transaction with the bank and the money you pay will not be considered Riba (usury).

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The first question of Fatwa no. 3745

Q 1: When the person takes out a loan from the bank, they take interest from him and when he deposits his money, the bank gives him interest. Is the interest in both cases considered Riba (usury)? What is the ruling on it?

A: it is unlawful to deposit money in a bank for interest.

However, depositing money as a trust and giving the bank fees in return for saving it, is not Riba and there is no harm in it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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money saving

The second question of Fatwa no. 4125

Q 2: What is the ruling on a person who saves money till its value increases then sells it for profit?

A: It is permissible for him to do so.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 11240

Q: In our country if a person pays the full price for buying a car, the government exacts a 50% tax on it in addition to an extra 35 % exacted on the monthly salary. Tans Kens companies play the role of intermediary between the buyer and the car company. The buyer pays only half or quarter of the car's total price while the rest is paid by the company. The company charges an interest rate of 15% on the sum it pays for the buyer to be repaid in installments. When the person resorts to such procedures, the government does not exact any taxes on him. However, I think that

the interest charged by the company is considered a form of Riba. What should I do?

A: If you put a down payment on a car while an intermediary company undertakes

payment of the rest of the price provided that you repay the sum it pays in installments with an additional interest rate of 15 %, this is considered a form of prohibited Riba (usury). The sum paid by the intermediary company is considered a loan and the 15 % interest is paid in return for the loan.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 18242

Q: The Saudi Electricity Company (SCECO) in the Eastern Province has started a charitable fund for its employees. The fund only gives loans to the subscribing employees. The subscribing employee repays the loan from his salary but the company stipulates some conditions. I doubt that these conditions are permissible. I understood from the officer in charge of this fund in the company that the interpretation of Article C of the terms of subscription is that the subscriber has to pay 20 Riyals or more

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as a donation to support the Cooperative Fund. This donation is not refundable and is paid monthly till the employee's service in the company comes to an end. I enclosed with this message the system developed by the company to regulate the process of giving loans. I hope your Eminence will issue a Fatwa on this dealing.

A: If the reality is as you have mentioned, and the company charges a monthly payment as a condition for the employee to be eligible for the loan in addition to the installments of the loan he has to pay,

this is a form of Riba (usury) which is unlawful according to the Qur'an and Sunnah (whatever is reported from the Prophet). It is obligatory that you quit it and warn people against it and inform the company that it is an unlawful dealing. The fact that the company deposits this payment in the cooperative fund does not make it permissible for the company to receive it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 17025

Q: I am a young married man with a family, but I do not have a house of my own so I live in a rented house. Since I am employed in one of the national companies, I have the right to submit an application to buy a house, which the company purchases and I pay twenty five percent of my salary in monthly installments. I have agreed to the following conditions set for buying the house:

1- The employee must be Bahraini, married, and there should be no other real estate owned by either him, his wife, or his minor children; except for the land that is intended for construction, along with obtaining official proof of this from the Ministrty of Housing, Real Estate Department, and the Municipality.

2- The employee should have spent four consecutive years working for the company, while being a member of their savings system having received a good performance evaluation during the last three years.

3- It is not permitted to end membership in the savings system except after paying off the company loan in full.

4- Valid construction authorization, along with a construction plan approved by the Municipality are required.

5- Agreement to have medical check-ups for the purpose of insurance, if the company so requires.

6- Agreement to maintain insurance on the house at his own expence against fire, natural disasters, until fully paying off the loan.

7- The house must be intended as the employee's personal residence, and the company reserves the right to demand the loan with interest, if it is found that the employee has violated these conditions.

8- This loan will only be provided as assistance for the employee to construct or purchase a home as a residence, and requests for additional funds

in the future citing insufficient funds to cover construction, purchase costs, or any other reason will not be granted. Therefore, expenditures must be within the available budget capabilities when choosing the area and type of the house required.

9- Agreement to assume an irrevocable general mortgage and provide a guarantor on his account to the company for the estate that is to be purchased or constructed.

10- Agreement not to make any modifications to the property after acquiring the loan without written approval from the company.

11- Copies of Children's Birth Certificates must be presented.

12- A copy of the lease contract should be presented if the employee lives in a rented house.

13-After fulfilling the previously mentioned conditions and receiving approval from the loan committee, the loan sum will not exceed the basic salary amount of four years, with a maximum of forty thousand Dinars.

14- Loan payments will be set on the basis of deducting twenty five percent from the base salary, in addition to the social security allowance based on the last salary and social security allowance received by the employee.

I hope that your Honor will review these conditions and clarify what is permissible and impermissible, as I do not want to buy a house that is founded on a Haram (prohibited) action, or establish my life on what is Haram, May Allah reward you with good. A: What has been mentioned in the terms is a loan offered by the company

to the employee for the purpose of building a home for personal use, so that afterwards, the company retrieves the loan in the form of monthly installments deducted from his salary. It has been mentioned in the third and the seventh conditions what implies that the company adds interest on these loans. Accordingly, this loan is impermissible, for it charges interest (and every loan which brings interest is Riba (usury), also because of what has been mentioned regarding the condition having to cover the house by insurance in the fifth and sixth terms, and this type of insurance is impermissible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 18933

Q: We presented the project which we want financed to a bank whose name suggests that it is an Islamic bank. The bank requests guarantees, records, etc, in addition to a feasibility study on the project or the real estate that requires financing. This study considers the costs of the project until it is completed.

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The owner informs the banks of the costs of the project until handing the key to the clients in the event it is a block of flats, a hotel, ...etc.

The owner also suggests the monthly profit, for example, if the project costs 100 thousand riyals, the profit would be ten thousands riyals. The bank would require deducting all the expenses such as taxes, utilities, salaries, and the net profit is six thousands riyals. This sum of money is divided between the owner and the bank. Based on this study, the bank finances the project and demands half of the net profit for five years, making the bank the financier and a partner for five years. If we calculate half the net profit during the five years, i.e. three thousands riyals, and we calculate half of the monthly net profit for 5 years that will be 3000 x 60 month equaling 180000 riyals, while the original sum which the bank provided the owner was only 100 thousand.

A: This transaction in which the bank lends one hundred thousand riyals in return for one hundred and eighty thousand riyals

based on the expected profits is Riba (usury) and dealing with it is forbidden.

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Fatwa no. 17537

Q: Due to the lack of job opportunities, our state has established a social fund.

This fund finances small projects for fresh graduates. I submitted my project which is a threshing-house as I have experience in this area. After discussing the project and conducting the feasibility study, approval was given and my papers were transferred to the bank to receive the money. Afterwards, I came to know that the process is just a loan which will be paid in full after 5 years with 9% interest. Some people said that this 9% is Riba (usury). Therefore, I did not want to take the money until I asked your Eminence. What is the ruling on this loan?

A: If the matter is as you have mentioned in the question, this act is not permissible because it is based on clear usury. Allah (Exalted be He) has forbidden usury and cursed the one who eats it, witnesses it and writes the contract for it. Therefore, you have to seek a lawful means to earn your provision. Allah (Exalted be He) says: ﴾And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴿ ﴾And He will provide him from (sources) he never could imagine.﴿

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The second and third questions of Fatwa no. 16645

Q 2 and 3: what is the Islamic position on taking Riba (usury/interest)-bearing loans from banks? Are mortgages Halal (lawful) or Haram (prohibited)?

If I have a one-acre plot of land and I do not have any money, can I go to someone who will give me a sum of money, and in return they use the land in farming; and the money will remain with me as long as they are using the land?

A: Taking interest-bearing loans is Haram because it is Riba (usury). The Prophet (peace be upon him) is reported to have said, ("Every loan that brings benefit is Riba.") There is Ijma‘ (consensus of scholars) on its meaning, and included under this is the loaned party giving a plot of land to be used and benefited from through cultivation or other ways until the repayment of the debt. Accordingly, this is not permissible.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta’

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Fatwa no. 15944

Q: I deal in gold jewelry as follows: I borrow gold and give banknotes as security that covers the gold value or even more

either from Al-Rajihi Company, local institutions, or banks bearing in mind that they neither take interest from me nor give interest to me. However, I know that they benefit from the money I deposit and I also benefit from the gold I borrow. What is the ruling on this? If the bank or company agrees to lend me a certain weight of gold, which we specify and we sign an agreement between us, is it permissible to assign them to sell it in international markets for I am certain that they do not buy it, rather they sell it in the international markets?

A: The loan as you have described is a loan that draws interest. Thus, it is impermissible. This is because the creditor invests the money of the loan until the debtor pays off the loan; and every loan that draws interest is Riba (usury).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his Family, and Companions.

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Fatwa no. 17046

Q: I work as a deputy manager in an industrial company which

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is granted bank facilities in the sense that the bank covers the company's cash deficit at an agreed upon percentage.

When the company's bank account is short of liquidity, the bank, in turn, covers the shortage at the agreed upon percentage. Please inform me of the ruling on working at this company and whether I can give in charity an equivalent portion to the portion I have referred to. It is noteworthy that the interest which the bank charges from the company does not exceed 10 % of the company's turnover. Most companies and institutions adopt such procedures. May Allah protect you!

A: If the reality is as you have mentioned, the overdraft services offered by the bank to its clients in return for keeping the clients' current account at the bank is considered a form of a loan associated with a conditioned benefit which is Islamically prohibited.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The fifth question of Fatwa no. 3895

Q 5: a person who has a current account in Islamic banks pays a service fee for this account

and does not receive interest for the deposited money since it is not deposited for investment; rather, it is a current savings account

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from which the depositor can take any sum of money. However, banks use a large part of these deposit accounts in their investments without paying the owner any money. Is it permissible for banks to use the money this way given that it is left in the bank as a trust or do they have to first ask permission from the depositors?

A: This depends on the agreement that was made between the depositor and the bank. If they agree upon permissible transactions, it is permissible for them; otherwise, it is not permissible. Also, it is known that convention stands for spoken agreement in this concern and similar ones. Today convention dictates that by depositing his money in a bank, the depositor gives permission to the bank to invest the money as long as his money will be available whenever he demands it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The ninth question of Fatwa no. 6375

Q 9: a person was dealing in Riba (Usury) and wants to repent.

Where should he spend the interest he received? Should he give it in charity? "Allah is kind and does not accept anything but good." What is the effect of this saying on the money that is earned through Riba?

A: He should repent to Allah (Exalted be He), ask His pardon, and regret what he did in the past.

He should also get rid of the interest by giving it to the poor and the needy. This is not voluntary charity but it is a way of getting rid of what Allah (Exalted be He) has forbidden in order to purify oneself from ill-gotten gains.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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The first question of Fatwa no. 7076

Q 1: after his death, my father left a sum of money which he deposited in the post office.

The post office operates similar to banks. Recently, I have found that this money was deposited with annual interest and earned a lot of money. I want to know is this interest a type of Riba (Usury) or not? If it is Riba, is it permissible for me to take it and do something such as cleaning the streets and pave them? Or should I do other things which benefit all people, not just me? Some scholars responded to my question as follows: The money should be taken from the post office including the profits and you should only take the capital. As for the profits, it is not permissible for you to keep them because they are a kind of unlawful usury according to the Qur'an, the Sunnah and the consensus of scholars. Rather, you must give it to charity such as giving it to the poor, the needy, or for public utilities. I would like to know something. The Messenger of Allah (peace be upon him)

stated in a Hadith: "Allah does not accept Hajj (pilgrimage), Sadaqah (charity) and Jihad (fighting in the cause of Allah) from one who deals in usury." This Hadith contradicts with your statement: "But you must give it in charity, such as to the poor, the needy, or for public utilities." So, why this contradiction and how should I spend this profit?

A: There is no contradiction between the mentioned Fatwa and any legal text because the bank has no right to take the mentioned usury due to misusing it by investing the funds in usurious contracts. The owner of the money as well has no right to take it because he has allowed the post office to use his money in usury while knowing the legal ruling in this regard. Therefore, both of them should be penalized by depriving them from taking the money and must be spent in various types of humanitarian projects. This ruling applies also to the dowry of the prostitute and gratuity offered to a soothsayer as this is the legal ruling regarding the seized funds as a penalty for its acquirer. It is not a kind of charity and it is not called a charity in the Fatwa, but it is a form of getting rid of ill-gotten money. Therefore, the one who used it wrongly will be punished by depriving him from the money and spending it for public benefit which is a righteous act. However, this must not be spent on Masjids (mosques) to purify them from this ill-gotten gain. Furthermore, the statement which you have mentioned is not a Hadith and has not been reported from the Prophet (peace be upon him).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The second question of Fatwa no. 7492

Q 2: a rich man has asked his bank where he deposits his money to calculate the interest on his money and pay it to the society.

For months, the society has received the interest from his account, but is it permissible for the society to accept this interest, especially when the society - as I told Your Eminence - builds hundreds of homes for those who need them?

A: First: It is obligatory that this man should stop making deposits for profit, whether the profit is allocated to the society or otherwise, because this is the Riba (usury/interest) that is Haram (prohibited) according to the Qur'an, Sunnah, and Ijma' (consensus of scholars).

Second: It is permissible for the society to spend what it has received so far on its activities. However, if it is known that the interest will continue to be calculated, it is Haram for those responsible for the society to accept this money, as it is cooperating with the depositor in Riba and encouraging him to do so.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Money exchange

Fatwa no. 3158

Q 1: a Muslim money-changer exchanges Saudi riyals for US dollars from a bank outside the Kingdom of Saudi arabia. By virtue of an agreement with the bank, he exchanges the Saudi riyals for US dollars. He pays the riyals on Wednesday while the bank pays him the dollars on Friday. The sum he pays is registered at the money-changer's expenses in the bank's account at New York. On Wednesday the price of the dollar is less than its normal value. If a cash on delivery process is done at the same day, the price of the dollar becomes equal to its normal value.

Enlighten us may Allah reward you with the best! Is it permissible for that money-changer to deal with the bank in such a way (i.e. paying riyals for the bank on Wednesday and getting the dollars on Friday at a lower price)?

A: If the reality is as you have mentioned, this kind of transaction is prohibited as it involves Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

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Q 2: an exchange broker sells US dollars to one of his clients outside the Kingdom, in return for Saudi Riyals, provided that the client pays Saudi Riyals to him in separate installments at different periods of time, given that this agreement

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is made through telex. Please advise, may Allah reward you, whether these transactions are valid and in conformity with the Islamic Shari`ah or not.

A: This transaction is impermissible, because it is a form of Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), as they agree on the payment of Saudi Riyals in installments at different periods of time. Riba Al-Nasi'ah is Haram (prohibited) according to the texts and the Ijma` (consensus of scholars).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The first question of Fatwa no. 8924

Q 1: is it permissible to repay debts in another currency with the agreement of both parties? For instance, a person borrows a number of Riyals, provided that they repay them in Dinars with the current value.

A: If the case is as you have mentioned, this condition is Haram (prohibited), because it is delayed change. This is only permissible if exchanged hand to hand in the same meeting.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

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Fatwa no. 19785

I borrowed 20,000 Pakistani Rupees, which were worth 7,000 Saudi Riyals at that time, from my brother. I now want to settle my debt, but the debt of 20,000 Pakistani Rupees is now worth 2,000 Saudi Riyals. Is it permissible for me to repay him with 2,000 Riyals or do I have to give him 7,000 Riyals according to the value when I borrowed it, or is it obligatory on me to give it to him in Pakistani Rupees, the same currency that I borrowed from him?

A: It is obligatory on you to return the money that you borrowed from your brother in the same currency you took it from him, regardless of whether its value has risen or fallen against other currencies. You therefore have to give him 20,000 Pakistani Rupees, no more or less, for the 20,000 Pakistani Rupees you borrowed. You have to give him what equals its value at the time of the repayment in another currency, such as in Saudi Riyals or another currency, on the condition that it is done in one session. This is based on the answer which the Prophet (peace be upon him) gave to the inquirer who asked him whether it was permissible to sell Dirhams (a dirham of silver equals 2.975 grams of silver) for Dinars (old Arab coin that equals 2.975 grams of gold) or Dinars for Dirhams. He (peace be upon him) said, ("There is nothing wrong with taking them at the current rate so long as you do not separate leaving something to be settled.")

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 16823

Q: I am a businessman and I live in the Kingdom of Saudi Arabia. I import pure 24 Carat Gold from abroad and sell it to gold dealers and gold factories. One of these merchants asked me to lend him about 200 kilos of gold over varying periods. He was to take the quantity he needed weekly, for example 30 kilos per week. Upon receiving the gold, he must transfer the equal value to my account in cash (Riyals) and indeed the equal value goes to my account and later on, I deliver him the gold. Thus, he continues taking and paying the value of which he takes in Riyals. I benefit from these Riyals and he also benefits from the gold. Since it is known that the price of gold is variable, the agreement is to lend him the gold he needs provided that he pays the difference of prices in case the price goes up. Supposing that he takes 200 kilos and the current price for one kilo is 40000 and the next day the price goes up to 42000, he must transfer the difference which is 2000 to us for each kilo of gold he takes. However, if the price goes down the next day to 38000 for a kilo, he may ask for more gold to complete the value which he paid or that we pay him the difference in Riyals

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provided that he transfers the equal value in Riyals as long as the gold is in his possession.

In this way, the dealer waits for the gold price to drop below 40000 for a kilo and in this moment, he pays the loan in one of two ways: 1- Purchasing from the local market the amount of gold which he borrowed and pay it as a single payment, then I pay the full value which he has transferred to me. By doing this, I have got the equal value of my gold which he borrowed. 2- Buying the full amount of gold which he has borrowed minus the value of Riyals which were transferred to me. Afterwards, I deliver the difference of price which I still have which will be a profit for him. In this case, the dealer has made a profit through this loan.

If the global markets change prices up to 50000 or more than 60000 or whatever price it may reach, the dealer who borrowed the gold will pay it to me. He may be obliged to buy it from me or from others for 50,000 Riyals per kilo

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which will be a great loss for him.

According to my limited knowledge, it is permissible for me to lend someone a kilo or more of gold provided that he will return it in gold, but this has been done in the manner that I explained to Your Honor.

Would you kindly advise me? Is it permissible for me to do business with this Muslim dealer in the way I explained? Could you answer in detail according to the transactions

which I have mentioned? Could you guide us to the legal way which should be used in dealing with our Muslim merchants? May Allah guide Your Honor in his answer! May Allah's Peace, Mercy, and Blessings be upon you.

A: If the situation is as you have mentioned, this act is not permissible because this is a kind of exchanging gold for dirhams. A condition of the transaction is that possession occurs at the time of exchange and this is not the case according to what is mentioned.

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The first and second questions of Fatwa no. 3037

Q 1: Nowadays commercial transactions include exchange of different types of currencies.

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For example, dollars are exchanged for riyals, riyals for sterling and sterling for Kuwaiti dinar...etc. Each currency is sold and bought at different prices. If, for example, we want to sell the dollars we have to a money-exchanger, he will buy them at 3 riyals and 25 halalahs, but if we want to buy dollars from him, he will sell them at 3 riyals and 30 halalahs. We would like to ask Your Eminence the following questions regarding this kind of transactions: A- Is the transaction mentioned above permissible from the Islamic perspective? Can it be considered a type of lawful sale? B- If such transactions are permissible, what is the evidence that they do not constitute a form of prohibited Riba?

A: A- The abovementioned transaction is conducted with a type of money susceptible to Riba (usury). This kind of transaction is permissible if done hand to hand and even if these two exchanged items are sold and bought at different prices because they are of different types. It was authentically reported that the Messenger of Allah (peace be upon him) said, ﴾Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these, (gold and silver), do not sell something present for something to be delivered later.﴿ Banknotes are substitutes of gold and silver. Since, according to the question,

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these banknotes are of different types, it is permissible to exchange them for a selling price more than a buying price and vice versa. However, the transaction has to be done on the spot. This is based on the Hadith in which the Prophet (peace be upon him) is reported to have forbidden the selling of an absent item for a present item. This type of sale is known in Shari`ah as Sarf (exchange).

B- All things susceptible to Riba like wheat, barely, dates and raisins can be exchanged provided the exchange occurs between items of the same type, with equal weight and hand to hand. It is permissible to exchange items of unequal weight provided that they are of different type in a hand-to-hand transaction. However, it is prohibited to exchange items of unequal weight if they are of the same type, no matter whether the transaction is done hand to hand or the delivery of one or both items is deferred. It is prohibited to defer delivery of one or both the exchanged items which are susceptible to Riba unless one of them happens to be cash while the other is not. This is the same ruling applied to Salam sale (sale with advance payment) and Ajal sale (sale with deferred payment).

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Q 2: Taking into consideration the permissibility of credit sales in which the price of a commodity is higher than the cash sale price, we would like to submit the following questions: A- Is it permissible for us to buy from any place (a bank etc.) a sum of 1000 Dollars for one year, provided that this sum should be repaid in Saudi Riyals; four Riyals for every one Dollar? It should be noted that the value of a Dollar at the time of purchase was only three and a half Saudi Riyals.

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B- Is it permissible for us to purchase from any place (a bank etc.) 1000 gold pounds on credit sale for one year, provided that we will repay them in Saudi Riyals, 600 Riyals for every gold pound. It should be noted that the value of a gold pound at the time of purchase was only 500 Saudi Riyals.

We would appreciate your advice. May Allah reward you and bless your good works!

A: A and B: It is not permissible, according to the evidence we mentioned in the answer of the first question, which stipulates that the exchange must be between gold and silver and what carries their same ruling such as banknotes exchanged in a hand-to-hand transaction. Delay of one of them is Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) which is absolutely unlawful whether the price is paid through a credit sale higher than that of a cash sale or not.

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Fatwa no. 3291

Q: do dealings with copper currencies incur Riba such as Turkish Lira and Saudi Riyal or not? It is explained

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in Islamic legal references that usury does occur with regard to copper currencies? Imam Al-Shafi`y stated in his book (Al-Um): "non-golden or silver coins are not a price for things, as Zakah (obligatory charity) is not required for it and usury does not occur therein.).

A : Response: The Council of Senior Scholars has previously studied the issue of banknotes, and issued a decree by majority stating that: 1. Both types of Riba occur in banknotes, as in the case of Gold and Silver currencies and other money forms, like copper coins. Thus, a- It is impermissible to exchange one for another or for other forms of currencies of different material on a deferred payment basis. For example, it is impermissible to sell one American dollar for five Saudi Riyals, or more or less, for deferred payment. b- It is impermissible to sell one for another of the same type with excess whether payment is deferred or not. For example, it is impermissible to sell ten Saudi Riyal banknotes for eleven of the same type (i.e. banknotes as well). c- It is absolutely permissible to sell one for another as long as they are of different types, if payment is being made hand to hand. Likewise, it is permissible to sell Syrian or Lebanese Lira for Saudi Riyals, whether it is in banknotes, silver, more or less, as well as selling the American Dollar for three Saudi Riyals, more or less, if payment is being made hand to hand

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and the same with regard to the permissibility of selling the silver Saudi Riyal for three Saudi Riyal banknotes, less or more, when payment is being made hand to hand, for this is considered selling two different types. There is no affect in its sharing the same term as there is an actual difference. 2. Zakah is required on these currencies when the value reaches the minimum limit of Nisab (the minimum amount on which Zakah is due). Similarly, if it reaches Nisab when combined with other values and commercial commodities possessed by persons who are legally accountable to pay Zakah. 3. It is permissible to use it as capital in Salam sale (sale with advance payment) and partnerships.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and companions!

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The second question of Fatwa no. 3864

Q 2: What is the ruling on exchanging currencies (in the black market)? For instance, exchanging 3,000 Algerian Dinars (DZD) for 3,000 French Franks (FRF), which means 300%, given that the legal way to do it is 300 DZD for 340 FRF.

A: If the exchange is made in the same currency, they should be equal, and they should be exchanged in the same meeting. It is Haram (prohibited) to exchange unequal sums, or delay the exchange of one of them. If they are two different currencies,

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it is permissible to exchange them, whether in the black market or elsewhere. It is Haram to delay paying one or both of them.

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The third question of Fatwa no. 4385

Q 3: what do you think, Your Eminence, of receiving a salary in a currency other than that of one's country and being forced to sell it in the black market? As the banks buy it for a very low price, compared to the market, and the person who inquires about this does not have banks in his country which exchange foreign currencies.

A: It is permissible to sell them in the black market, provided that they are exchanged at the time of the contract, whether there is a bank in his country or not.

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The second question of Fatwa no. 6417

Q 2: Some villagers working abroad in Arab countries send me

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their money in dollars to keep for them and give to their families. So I exchange the dollars for Egyptian pounds at the free market, since it gives a higher price compared to other banks. I do this for the best interest of the money owners and I take nothing for myself, hoping for the Reward of Allah. What is the Islamic ruling on this exchange? Is it permissible to lend other people in dire need from this money without the knowledge of its owners who may refuse?

A: If the reality is as you mentioned, there is no harm in exchanging dollars for Egyptian pounds hand to hand on the spot to achieve the best interest of the money owners. Since you are judt doing them a favor honestly, it is not permissible to lend anyone without the owner's permission.

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The first question of Fatwa no. 7103

Q 1: I am an Egyptian doctor working in the Kingdom of Saudi Arabia. I will save money from my salary and upon returning, I will need to exchange these Saudi riyals or dollars to Egyptian pounds. In Egypt, I will have two options; either to exchange at the bank

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where the dollar is exchanged for around 80 Egyptian piaster or at currency traders who give me around 120 Egyptian piasters. Is it Haram (prohibited) to exchange for the highest price?

A: It is permissible to exchange your money at currency traders for the mentioned price, if the currencies are not of the same type and you do not fear any harm or punishment in consequence.

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The eleventh question of Fatwa no. 6337

Q 11: Is it permissible to trade in currency, such as buying dollars and waiting until their price goes up to sell them and thus make a profit?

A: This is permissible provided that the exchange takes place on the spot, whether the currencies are of the same type or not but they must be of the same value if they are of the same type.

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The third question of Fatwa no. 4260

Q 3: What is the ruling on the exchange of money in the following manner:

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It is well known that many Algerians travel to France. Some people take French currency from Algerian workers there in this way: 1000 francs for 2000 Algerian dinars and sometimes for more than that. When they return they hand the money to the families of the Algerian workers in Algerian currency, that is the money is not exchanged through a hand-to-hand transaction. It should be noted also that Algerian currency is internationally higher in value than French currency. What is the ruling on that?

A: If the case is as you have mentioned, this exchange of money is not permissible except by hand-to-hand transaction.

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The first question of Fatwa no. 4721

Q 1: What is the ruling on money exchanged from one currency to another? For example, my salary is paid in Saudi riyals which I exchange for Sudanese riyals, knowing that the Saudi riyal equals three Sudanese riyals. Is that considered a form of prohibited Riba (usury)?

A: Currency exchange is permissible even if the exchange rate varies in value provided that currencies are of different types like the case in the abovementioned question. However, the exchange process has to be made hand to hand. Receipt of a check or a bill holds the same ruling applied to hand-to-hand transactions.

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The second question of Fatwa no. 6359

Q 2: In our country, people are not allowed to transfer their money abroad, and a person who does so is penalized. Is it permissible for a person who wants foreign currency when staying in any country to use a check to get foreign currency?

A: If this means that a person transfers their money from their country to the country where they want their money to be, through some bank, and takes a check to the place where they receive the money, this is permissible.

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Fatwa no. 8547

Q: I transferred 200 dollars to my mother in Sudan in the name of a person who is authorized to receive this money through the bank and deliver it to my mother. However, this person thought that

it was his brother who sent him that sum of money, as he had a brother who lived in Saudi Arabia. Accordingly, he went to the bank, received the money without inquiring about the name of the sender, and spent it. At that time, the dollar was equal to 200 piasters, for instance. Twenty days later, I received a letter from my mother in which she asked me why I had not sent her the money. I told her that I had sent it in the name of that person. After making inquiries, we discovered that that person who took the money is the one who received it in Khartoum. Because this issue lasted for more than a month, the price of the dollar changed and became 250 piasters, for instance. There came the disagreement whether the person who received the 200 dollars a month ago is entitled to the rise in the price of the dollar or not.

A: If the case is as you mentioned, that the sum of money was in dollars, and that man received it in the form of dollars, he should return them in the form of dollars, too, or in piasters with their price on the day of receiving them if it is agreed upon this. He is not entitled to the difference due to changes in the currency value.

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The fifth question of Fatwa no. 4909

Q 5: Is it permissible to transfer and exchange currency from one country to another? For example, the value of a dinar in a given country may be higher or lower than its value in another country. It should be mentioned that the Muslim who travels to another country has to change his money to the currency circulated in the destination country to spend from it, most especially during the days of Hajj. This is also the case at other times when the person travels to a resort or on a pleasure trip.

A: It is permissible for one to transfer money from one country to another even if the value of the currency in the destination country is higher provided that the exchange is between two different currencies. However, if the exchange is between two similar currencies, it is not permissible to exchange them unless they are of equal value.

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The first, fourth, and fifth questions of Fatwa no. 4556

Q 1: I want to convert Saudi Riyals to Egyptian pounds and transfer them to Egypt. The bank receives the Riyals and gives me a receipt. In Egypt I will receive the Egyptian money. It is worth mentioning that I did only receive documents and perhaps there was no Egyptian money in the safe,

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is this permissible?

A: There is no harm as receiving a check takes the place of receiving the Egyptian money. This is similar to a bank money order. However, it is better if you receive the exchanged money than transfering it.

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Q 4: banks sell what is called traveler's cheques, which means that a client pays a sum of Riyals, in return for which the bank gives them traveler's cheques which are accepted in all countries of the world, and they do not have a time limit; they may be valid for years, except for the change in the currency value. Is this permissible? If the client does not use them, can they sell them to the same bank where they got them?

A: This is permissible if exchange is done in the same meeting, because cheques have the same ruling as the dollars they stand for. However, it is impermissible to take more or less than the sum of money written in the cheque if it is of the same currency.

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Q 5: Banks trade in currencies; for example, they buy the British Sterling for six riyals and sell them again for six and a half riyals. Is this trade permissible?

A: There is no harm in that if the exchange takes place

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on the spot and the two currencies are of different types.

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The fourth question of Fatwa no. 4841

Q 4: What is the ruling on exchanging currencies (of different types) on the spot while both parties are present and they agree on the price?

A: It is permissible to sell gold to be paid for by silver and vice versa with different amounts if both currencies are present and the exchange takes place on the spot. Selling gold for gold, silver for silver, and the like is permissible provided that both are present at the time of sale, the exchange takes place on the spot, and both are equal in amount.

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Fatwa no. 9236

Q: I keep a sum of money in the bank in Saudi riyals. I wish to exchange it for dollars or any other foreign currency. The bank does not put the new amount

in my account or open another account for it. Rather it gives me a check of the amount of the foreign currency drawn on the same bank or any other bank at the current market price. Is this permissible? If someone is traveling abroad, can they take checks provided by the bank with the currency of the foreign country to which they are traveling?

A: First: If you wish to exchange local currency for a foreign one, there is no harm provided that the exchange takes place on the spot. Receiving the check stands for receiving the amount written in the check.

Second: It is permissible for a traveler to exchange local currency for a foreign currency according to the same previous condition; that it is hand to hand.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his Family, and Companions.

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The third question of Fatwa no. 12416

Q 3: Is it permissible to take commission for currency exchange?

A: Yes, it is permissible.

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The third question of Fatwa no. 10896

Q 3: Many people keep their money in US dollars for fear that the riyal may affect the value of other currencies. Is this permissible? It is noteworthy that it is the kafirs (disbelievers) who benefit from the interest.

A: This is permissible.

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Fatwa no. 11409

Q: Is it permissible to buy foreign currency through what is called a right of choice contract, where the purchase process goes as follows: The purchaser makes an agreement with a specific bank according to the right of choice that the bank gives to the purchaser (beneficiary). The purchaser then pays a fee or premium to the seller (the bank) at the time of entering the right of choice contract to purchase the currency.

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During the agreed period, the purchaser may pay the agreed price and buy the currency regardless of the current market price at the time of actual purchase. Furthermore, the purchaser is not obliged to buy currency according to the contract, and that is the nature of this contract. They are only obligated in the situation when they do not wish to complete a purchase process to pay the premium or fees, which were stipulated at the beginning of the contract in return for being given the right of choice and which are non-refundable, whether a transaction is completed or not.

An example of this is a right of choice contract to buy 10,000 Marks, at a price of 1 Mark to 2.20 Riyals within a set period of right of choice of three months. For this the bank charges 5 Halalas (100 Halalas = 1 Riyal) as the fee for each Mark.

The first scenario:

During the above period, the exchange rate of the Mark increases to 2.40 Riyals, and the purchaser makes use of their right of choice and pays for the Marks at the agreed price, i.e., 2.20, regardless of the current exchange rate.

The second scenario:

There is a decrease of the exchange rate of the Mark to 2.00 Riyals, and in this situation, the purchaser does not make use of their right of choice during the contracted term and the contract expires when the expiry date is reached. The seller (the bank) is still entitled to the fees due under the right of choice contract, i.e., the 5 Halalas, as they are not refundable to the purchaser, as mentioned previously.

A: It is not permissible to buy and sell one currency for another unless the exchange is completed within the same contracting session. If the currencies are of the same type, they must be of equal amounts and the exchange must take place in the same sitting.

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It has been authentically reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) and others, on the authority of Abu Sa'id Al-Khudry (may Allah be pleased with him), that the Messenger of Allah (peace be upon him) said, ("Do not sell gold for gold, except like for like, and do not let the quantities differ. Do not sell silver for silver, except like for like, and do not let the quantities differ. Do not sell that which is absent for that which is present.") The Prophet (peace be upon him) saying, "Do not sell that which is absent for that which is present," indicates that it is a condition that the exchange is to be made in the same contracting session, and that selling by choice

is invalid.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa Number 18523

Q: Is it Haram (prohibited) or Halal (lawful) to exchange nine coin Riyals for ten paper Riyals and give chewing gum or Miswak (tooth-cleansing stick) in addition?

A: Having studied the inquiry and reviewing the previous declarations concerning this issue, the Committee saw that there is no harm in exchanging unequal Saudi coins for Saudi paper Riyals, as they are made of two different materials, provided that the exchange is performed in the same setting.

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Fatwa no. 14294

Q: Some of our customers who buy groceries from us used to ask us for exchange. They ask, for example, to exchange 100 riyals, and if I do not have but 70 riyals. They say: "Give me this 70 riyals and I will take the rest at another time." I told them that this is not permissible. They used to say: "We will bear the sin of doing so." But I asked some of the scholars in our village who told me that exchange should be completed without delaying any portion of the money. I would like your eminence to point out the whole matter for me and my customers. May Allah reward you well!

A: Exchanging money must be completed at the same meeting when the contract is held. It is not permissible to receive some of it and delay another part. It was authentically reported that the Prophet (peace be upon him) said, (If these classes differ, sell as you wish if payment is made hand to hand.)

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 16247)

Q: a man, who wants to exchange 500 riyals, went to a grocer who had only 300 riyals which he gave to the man to give him the remainder later on. Another person objected to it judging it to be a usurious transaction. Please, inform us about it, May Allah guide you and show you the right way! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: Those who exchange money may not separate before each of them receives the whole exchanged amount. Accordingly, it is impermissible for the man who gave 500 riyals to another to exchange to take 300 riyals in advance and take the remainder, even soon, after separation.

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The first question of Fatwa No. (14385)

Q 1: I, as well as many Sudanese people working here, sometimes need to send a sum of money to our families. It is well-known that the Saudi riyal is much higher in value than the Sudanese pound. Likewise, the value of other currencies varies against the Sudanese pound. In fact, there is no way to send money to Sudan. However, there is a commonly followed way out; we agree with someone traveling there giving him 1000 Saudi riyals in cash. He,

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in turn, buys some commodities to sell them there which yields much profits and rarely causes losses. There are official merchants who undertake such work and make huge profits from the 1000 riyals. We ask them to give the amount we gave them to our families in Sudanese pounds, a riyal equaling five or ten pounds according to the agreement. Absolutely, this is the only way out. Moreover, one who tries to take riyals to exchange them in banks there exposes himself to penalties ranging perhaps to death penalty in case the amount of money is large. Undoubtedly, many people were sentenced to death, subject to the law there, for doing so. My question is: Is this a usurious transaction? In fact, I once heard a fatwa in the radio program Nur `Ala Al-Darb that currencies exchanged must be handed from hand to hand, which is impossible as there is no Sudanese currency here. Please, inform us, may Allah reward you good, for such an issue has confused me much.

A: Such a transaction is impermissible as it falls under exchanging a currency with another without mutual immediate receipt of both parties of the due amounts. It is recorded by Al-Bukhari that the Prophet (peace be upon him) said: (The selling of gold for gold is Riba (usury) except if it is handed from hand to hand and equal in amount. Similarly, the selling of wheat for wheat is Riba except if it is handed from hand to hand and equal in amount. Likewise, the selling of barley for barley, is Riba except if it is from hand to hand and equal in amount, and dates for dates is usury except if it is from hand to hand and equal in amount.) Thus, exchanging a currency with another without mutual immediate receipt of both parties due amounts is a usurious transaction a Muslim has to avoid. There is still another defect in such a transaction, i.e. it is a loan that incurred a profit. However, there is a Shar`y (Islamic legal) way out of such usurious transactions. That is, you should contract with the merchant

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a mudarabah (speculative partnership, giving an amount of money to trade with in return for a share in the profit); you pay its capital and he manages it buying commodities you want to buy and selling them in your country while both of you share in profits as well as losses. The capital is yours, which you may receive there or he may deliver it to your family.

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The second question of Fatwa No. (14595)

Q 2: some people sell soft drink cans and mineral water glasses for banknotes as they are more beneficial to them and give the remainder as coins so that the buyer uses them for calling from phone booths. What is the ruling on this? Is it permissible?

A: It is permissible for a person to buy some commodity, water, juice or whatsoever, from a trader and take the remainder as metal coins immediately to use the coins for calling from phone booths.

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Fatwa No. (15803)

Q: I acted upon a fatwa issued by His Eminence Shaykh Muhammad Al-Salih Al-`Uthaymin regarding the permissibility of exchanging Saudi banknotes for Saudi coins each valuing one Saudi riyal for those who use international coin-operated phones at phone booths. Later on, we found out that you deemed it impermissible. Therefore, we found a way out; if someone wants to exchange currency for such a purpose, he should first exchange the Saudi banknotes with foreign banknotes so that I give him Saudi coins in return, one Saudi riyal each, in order to use them for calling from coin-operated phones. Please give me a fatwa on the issue, may Allah reward you good and protect you!

A: If the reality is as you have mentioned, it is permissible for you to sell Saudi metal coins for foreign banknotes on the condition that mutual receiving of both parties due amounts takes place in the same contract session. This is based on the Hadith related by Ahmad and Muslim on the authority of `Ubadah ibn Al-Samit (may Allah be pleased with him) who reported the Prophet (peace be upon him) to have said: (Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these types differ, then sell as you wish if payment is made hand to hand.) It is well-known that

metal coins represents one type, while foreign banknotes represent another type. Thus, it is permissible that they be exchanged if equal in amount and payment is made hand to hand.

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The fifth question of Fatwa no. 18641

Q 5: Shop owners define prices of commodities changeable from time to time here in Yemen. This is because the dollar rises in the morning and falls by the evening. Are such sellers sinful?

A: fluctuation of the dollar exchange rate from time to time based on currency market fluctuation is unobjectionable.

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Selling gold

(Part No. 13; Page No. 466)

The second question of Fatwa no. 1599

Q 2: If a person sells an amount of gold to another, and the buyer does not have some or all of the value, not even after a few days or one or two months, is this permissible or not?

A: If the price for which someone buys the gold is in the form of gold or silver or money of equivalent value, this is not permissible, rather it is haram (prohibited) because it involves Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). If the purchase is made with other goods such as cloth or food etc, then it is permissible to delay the payment.

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The first question of Fatwa no. 1974

Q 1: A person goes to the jeweler to sell used gold. After estimating the value of the used gold and knowing its value in Riyals, and before taking the price, the seller of this used gold decides to buy new gold. The jeweler estimates the value of the new gold, and then the purchaser (the seller of this used gold) pays the difference in value at the same time and place. Is this permissible, or must the purchaser take the value of the used gold first then pay for the new gold from the money he has just taken or from other money?

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A: In this case the jeweler has to pay the value of the used gold first, then it is up to the seller to buy from the same jeweler or from another one. If the seller buys new jewels from the same jeweler, he has to pay him either from the money he took from him or from other money. This must be done otherwise the Muslim falls into Riba (usury) based on exchange of an inferior quality commodity for a similar good quality one with difference in value. It is narrated by Al-Bukhari and Muslim (may Allah be merciful to them both): (That Allah's Messenger (peace be upon him) deputed a person to collect revenue from Khaybar. He brought fine quality of dates, whereupon Allah's Messenger (peace be upon him) said: Are all the dates of Khaybar like this? He said: No. We got one sa` (of fine dates) for two sa`s (of inferior dates), and (similarly) two sa`s for three sa`s. Thereupon, Allah's Messenger (peace be upon him) said: Do not do that rather sell the inferior quality of dates for dirhams (money), and then buy the superior quality with the dirhams.)

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Fatwa no. 2298

Q: i work in the gold industry buying and selling jewelry which we

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purchase wholesale from importers and pay them in installments. Is this method which all the workers in this field including myself follow Halal (Lawful) or Haram (prohibited)? I would like you to explain the reason for its permissibility or prohibition please.

A: If the case is as you mentioned regarding this type of transaction, it is Haram to deal in this manner when the price for which you buy the gold is in the form of gold or silver or money of equivalent value as it is a form of Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). Such transaction could involve both Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah if the gold is exchanged for gold for example, and the weight is different plus the payment is made in installments.

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The Fourth Question of Fatwa no. 2444

Q4: There are some people who buy gold pounds or bars when the price of gold goes down and they sell them when the price rises. What is the ruling on this matter? Is Zakah due on this gold if a lunar year passes while it is in one's possession? It should be taken into consideration that over the year, the price of gold is not constant, as it may increase or decrease according to the market.

A: Firstly,

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it is permissible to buy gold pounds or bars in return for gold objects so long as both are exchanged at the time of sale, just as it is permissible to buy gold in exchange for cash money. It is permissible to buy gold when its price goes down and to wait to sell it until its price rises as long as one does not buy up too much a quantity that it creates a monopoly or causes harm to people. **Secondly:** Zakah is due on the gold if a year passes while it is in one's possession and if the amount reaches the Nisab (the minimum amount on which Zakah is due).

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The third question of Fatwa no. 2543

Q 3: Nowadays, gold is sold in the following way: A person may have second-hand gold, which they want to replace with new gold and since it needs to be given a new shape and this costs money, I buy the old gold for a lower price. I, then, pay the price of the old gold in cash and weigh the new gold according to the market price, that is, at a price that is higher than that of the used gold since it is new. It is to be noted that I impose no condition on the buyer to buy the new gold from me.

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I give them the choice to either buy from me or from anyone else. Please advise!

A: There is nothing wrong with buying gold and giving its value to the person who sells it and then selling them new gold at the known market value without any condition. This is because it is obligatory on you to pay the cost of the sold gold to its seller in cash, who is given the choice to buy new gold either from you or from anyone else and pay for it in cash. There is no harm if the money you have given them is included in the money they will give you, because exchanging gold for silver or for any other currency is only permissible when it is done hand to hand.

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The first, second, third and fourth questions of Fatwa no. 2730

Q 1: There is a gold agent who sells gold to several gold shops on credit at a fixed price. We buy gold from him and pay him a sum of money every week until the debt is fully repaid. Repayment might continue for more than two months. It is noteworthy that the international price of gold is not stable.

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A: Exchanging gold for silver or cash is only permissible if the exchange occurs in a hand-to-hand transaction. This is based on the Hadith in which the Prophet (peace be upon him) is reported to have said, ﴾Gold for silver is usury except hand to hand equal in amount.﴿ (Agreed upon by Al-Bukhari and Muslim). According to another Hadith narrated by Ahmad and Muslim on the authority of `Ubadah ibn Al-Samit (may Allah be pleased with him), the Prophet said, ﴾Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these classes differ, then sell as you wish if payment is made hand to hand.﴿ Banknotes are treated like gold and silver in terms of price and value of sales.

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 2: Some friends of ours buy gold from us, but we are embarrassed to ask them for the money. Some of them want it to help their daughters get married and so on, and they pay its price after a long period of time. What is the ruling on this? How can we avoid this?

A: The ruling on this is preventing it until the price is paid in

(Part No. 13; Page No. 472)

the same meeting of the contract, as this is an issue of exchange, due to the previously mentioned concept, a banknote has the same value as gold and silver. The way to avoid this is by paying the value of gold and silver in the same meeting of the contract, according to what was authentically reported from the Prophet (peace be upon him) that he said, (At once.)

Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 3: We have heart-shaped forms of ornaments that bear the word "Allah". Arabs and non-Arabs of every place used to buy these forms. We sometimes, used to tell Arabs that it is not permissible to wear these forms while being in toilets. What is the ruling in this regard?

A: selling jewels on which the Name of Allah is carved is not permissible unless we obliterate this carved writing. A similar question was sent the Committee. Fatwa no.2077was the answer for that question. It was as follows:

We sent to your eminence a golden jewel on which the name of Allah is carved. This jewel is used by our women. We sent a message to our brothers working in the Committee for the Propagation of Virtue and the Prevention of Vice (CPVPV) that using these jewels is prohibited because the word "Allah" is carved in it. This kind of jewelry is used only by Muslims as an ornament in order to contradict Jewish and Christians women. This is because Christian women wear ornaments on which crosses and images of idols are carved.

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Jewish women wear an ornament on which the Star of David is engraved. Therefore, we would like your eminence to point this matter out for us.

The answer was as follows: This kind of ornament on which the word "Allah" is engraved, is worn by Muslim women because Christian women wear ornaments on which a cross is engraved and the Jewish women wear an ornament on which the Star of David is engraved. Moreover, the name of Allah may be worn mistakenly for the sake of bringing benefit and removing harm or for any other purpose. Wearing an ornament on which the name of Allah is engraved may lead to abusing it by sleeping on it or it may be worn while being in the toilet or other places where the words of Allah should not be admitted to. Therefore, the Committee holds the view that it is not permissible to wear ornaments on which the name of Allah is engraved in order not to be similar to Jews and Christians whom Muslims are asked to contradict. Doing so is also prohibited in order to block all avenues leading to evil and to protect Allah's Name against any abuse. Moreover, there is a general prohibition for wearing amulets.

Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Qa`ud	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Q 4: We buy gold from a dealer who charges for the glass stones that can be inserted in the rings and other items. He sells these stones at the price of the gold, and we sell them in the same way.

A: There is no harm as long as the price is not in the form of gold and the purchaser is aware of this.

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Moreover, the selling should be made hand to hand when it is done for something other than the gold. Regarding the sale of gold for gold, it is impermissible until the stones are separated from the gold so that the amount of gold may be known, and it may be ensured that equivalent amounts of gold are exchanged hand to hand.

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The first question of Fatwa no. 3211

Q 1: Some wholesalers deal in gold in the following two ways; in cash or on credit, for example, a person pays the value after one week or more. It is worth mentioning here that the price is the same whether in cash or on credit. What is the ruling on this transaction?

A: If the case is as you have mentioned; that paying the value of the gold is after a period of concluding the sale contract, then this is not permissible if the deferred value is gold or silver, or any other thing of the same value such as banknotes. This is a form of Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). However, if the value is of another kind such as wheat, cloth, iron or the like, it is permissible.

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Permanent Committee for Scholarly Research and Ifta'

Member	Chairman
`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The second question of Fatwa no. 3211

Q 2: a jeweler has relatives, friends, and customers to whom he gives loans, and even jewelry for which they do not pay the whole price and the rest is deferred. Is it permissible for the gold dealer to complete the sale and record down the remaining sum of money on the purchaser's account,

or what should he do, taking into consideration that his friend refuses to buy from anyone other than him?

A: This sale is impermissible for it involves Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) as mentioned in the answer to the first question. Your close relationship to the purchaser, whether he is a relative of yours, a friend for example that you give loans to if he asks for it, is not an excuse for deferring the price or part of it and not a sound reason for making such transaction.

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Permanent Committee for Scholarly Research and Ifta'

Member	Chairman
`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The third question of Fatwa no. 3211

Q 3: Sometimes a shop owner buys a bulk of gold by phone, whether from Makkah or outside the country, while he is in Riyadh, from a known jeweler. The buyer knows the sold items well, let's say they are bracelets. They agree on the price, and the money is transferred through the bank. Is this permissible? What should he do?

A: This contract is invalid, because the exchange of both the sold item and the price are delayed, whether they are both gold; one of them is gold and the other is silver; or corresponding banknotes. This is called Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), which is Haram (prohibited). The sale should be made only when the price is ready, according to their agreement at the time of the contract.

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Permanent Committee for Scholarly Research and Ifta'

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`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

The sixth question of Fatwa no. 3211

Q 6: A person bought gold from me, but he did not have the whole amount. Therefore, I asked one of my neighbors who knows me but not the said person to loan him the rest of the amount and I served as a guarantor for this person in front of my neighbor. What is the ruling in this regard?

A: This is permissible because the exchange took place in the same sitting, even if by means of the purchaser taking a loan by the guarantee of the seller.

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Member	Chairman
`Abdullah ibn Ghudayyan	`Abdul-`Aziz ibn `Abdullah ibn Baz

Seventh question of Fatwa no. 3211

Q 7: Some customers want to buy gold but they pay only the down payment and ask me to reserve the gold for them until they bring the rest of the money and receive the gold. It may be worth mentioning that the price of gold fluctuates and I mention this to the customers who say: "It is only a matter of luck". Should I calculate the price of gold as to its value on the date of the reception of the down payment or on the date of the delivery of the gold?

A: Such a sale is impermissible because the exchange does not take place in one session.

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Permanent Committee for Scholarly Research and Ifta'

Member	Chairman
\`Abdullah ibn Ghudayyan	\`Abdul-\`Aziz ibn \`Abdullah ibn Baz

The sixth question of Fatwa no. 2672

Q 6: I am a merchant who sells gold jewelry which is engraved with images of humans or animals. The purchasers care about the quality of the jewelry itself, and not the images engraved on them. However, some of them prefer jewelry with images engraved on them to jewelry without images. It is worth mentioning that most of them, if not all of them, are Kufar (disbelievers) either for abandoning Salah (Prayer), or denial of the existence of Allah, or for associating others with Him in worship.

In any case, is it permissible for me to deal in jewelry with images engraved on it since the purchasers care only about the quality of the jewelry itself or is it completely unlawful because images and producing images is unlawful? Is it permissible for me to sell the jewelry

on which the Name of Allah is engraved? It should be noted that most women do not respect the Name of Allah engraved on their jewelry and may wear them while they are Junub (in a state of major ceremonial impurity) or during menstruation, or enter the bathroom with them?

A: it is not permissible to deal in jewelry that bears images of animate beings because of the general meaning of the proofs that prohibit producing and hanging images. The Prophet (peace be upon him) stated: ﴿Allah and His Messenger made illegal the trade of alcohol, dead animals, pigs and idols.﴾ Idols include any image of animate beings or whatever possesses a soul, even if they are engraved on jewels. This ruling applies whether the purchaser is a Muslim or not.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

Permanent Committee for Scholarly Research and Ifta'

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The third and fourth questions of Fatwa no. 3821

Q 1: is it permissible to exchange gold for gold? For example, the price of used gold which I buy from someone is fifty Riyals per gram, while the price of gold which he buys from me is sixty Riyals per gram. This price is different from the selling price in case of buying and selling; the gram would be sold for seventy Riyals, however, I buy it for fifty and sell it for sixty Riyals.

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A: This is permissible on the condition that:

Firstly, the two articles of exchange should be received immediately. This transaction will be impermissible in case both items or one of them is delayed as this is Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment).

Secondly, You should not buy gold on the condition that the seller buys yours as this would be two sales in one transaction which the Prophet (peace be upon him) forbade.

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Q: I bought some used gold, then I refined it in a way to make it look like new before selling it at the price of new gold. It should be mentioned here that I did not inform the buyer about this. Is this sale permissible?

A: If the case is as you have mentioned, it is impermissible, for it is a form of fraud.

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The first, second, third, fourth and sixth questions of Fatwa no. 3931

Q 1: Sometimes when I buy the old gold from a client, he prefers not to receive the money and says: Leave it as deposit and when I buy the new gold, I will deduct the price and give you the rest. is it permissible for me to keep the sum which is the value of the old gold

until he buys the new one, at which time I give him the rest or deduct if I have something left?

A: If the case is as you have mentioned, it is not permissible because the condition of selling gold for silver or other kinds of the same value is that they should be delivered hand in hand.

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Q 2: is it permissible to calculate the value of gold in cash if a friend of ours happens to buy gold at our shop without paying the price? Should we consider it a form of loan? is it also permissible, for example, that when he buys gold for 4850 riyals, we give him 150 riyals so that the total is 5000 riyals as a loan or pay him the 5000 riyals in cash as a form of loan? Please, what is the ruling on that?

If the case is as you mentioned, it is prohibited because this involves exchanging gold for silver or what takes its ruling, without conducting the transacton hand-to-hand.

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Q 3: We reserve the amount of gold we want to buy by phone. We phone the dealer to ask about the price of the gold and reserve the required amount when the price is suitable for us. We later give him the money and take the gold hand to hand. We may be late in delivery and receipt for several days. What is the ruling on this act?

A: Sale is not completed until compensation is paid and the transaction is completed in one session.

(Part No. 13; Page No. 480)

As to the reservation, it counts as just a promise not a sale. Accordingly, it can not be relied on. The maker of the reservation is not entitled to possess, dispose of or claim to take the commodity he reserves.

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Q 4: What is the ruling on the following two cases: First: a friend gives us gold in return for lending him a sum of money. We keep the gold until he repays the money. Second: it often so happens that when someone buys gold from us, he might not be able to pay the whole price and accordingly some of the gold we sell him is pawned until the rest of the price is paid.

A: First: it is permissible to pawn gold for silver or silver for gold. **Second:** Gold can not be exchanged for silver unless the exchange occurs in a hand-to-hand transaction. The second case mentioned in the question is not permissible.

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Q 6: What is the ruling on selling gold after consulting one's family? i.e. a person comes to buy gold and does not complete the sale until he consults his family at which time he may not pay the price. Could you kindly explain this issue?

A: Selling gold for silver or what is their value is not permissible except hand in hand. However, it is permissible for a person to take the gold or silver to consult his family or others and then buy it in the Islamic manner, or not conclude the purchase which is also permissible.

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The fourth question of Fatwa no. 6753

Q 4: Is it permissible to sell gold under the condition that the buyer counsels with others before signing the contract? This means that the buyer takes golden jewels and says: "I will sign the contract after consulting others about it. If it appears to me to be good, I will take it. Otherwise, I will return it to you." What is the ruling in this regard?

A: The buyer is permitted to take golden ornaments from its owner under the condition of counseling with those whom he trusts about buying it or not. If they advise him to buy it, he can go to its owner and complete the contract of this transaction. The price should be handed to the seller and the sold object should be handed to the buyer at the same meeting of holding this contract.

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Fatwa no. 4146

Q 1: Is it Haram (prohibited) to sell gold for men, whether pure or impure? Given that the used gold is 14-, 18- or 21-carats. Is it considered a major or a minor sin?

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A: It is Haram for men to wear gold, according to the evidence reported from the Prophet (peace be upon him) which proves that it is forbidden. It is one of the major sins, and it is Haram to sell it to men who are known to wear it.

Q 2: Some honest men protested that if this issue had been absolutely prohibited, the state would have forbidden it, especially that it is the one that applies the rulings of the Qur'an in many issues. What is the ruling on this?

A: The One Who permits and prohibits things is Allah and His Messenger (peace be upon him). A Mukallaf (person meeting the conditions to be held legally accountable for their actions) is responsible for their own actions, whether in sayings, deeds or beliefs. If a person finds something difficult in the matters of religion, they should ask the scholars, as Allah says, ﴾So ask the people of the Reminder, if you do not know.﴿ The state does not forbid selling it, because it is worn by women and it is Halal (lawful) for them. It is also known to all Muslims that it is forbidden for men.

Q 3: If it is established that it is Haram, what should we do with the huge amounts of gold we have, especially that they constitute at least half of our trade, and it is estimated at millions?

A: The gold which is not suitable for women to wear might be transferred into something that is suitable for them, or the part of it which is suitable for women, sold to them.

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The first question of Fatwa no. 4165

Q 1: Is it Haram (prohibited) to save gold? I bought one gram of gold with one dirham and after the passage of one Hijri year, the price of the gram went down to half of a dirham and the next year it increased to five dirhams. Is this a kind of Riba (usury/interest) or Haram?

A: It is permissible to buy gold in exchange for another currency other than gold hand in hand, as it is allowed to save, and sell it for more or less than the purchase price. This is not considered a prohibited amassed wealth if its Zakah (obligatory charity) is paid.

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The first and third questions of Fatwa no. 4518

Q 1: I trade in gold jewelry but somebody told me that it is only permissible to sell gold in cash and hand to hand exchange. I told them that the gold that I sell is not a currency like the Saudi golden pound. I justified my view explaining that the gold that I sell is in the form of jewelry, it has different standards i.e. 21 and 18, copper and silver are mixed with it to be converted to these standards, and that the value I receive for it is in banknotes not in gold while I give in return of it gold jewelry. Nevertheless, there is still a lot of confusion regarding that matter. I am sending this to you to receive your beneficial answer; may Allah reward you with the best. Please answer my following questions: In case sale should be in cash and hand to hand exchange, is the way I do it considered Riba (usury/interest) just as the one which is mentioned in Allah's saying,

﴾Those who eat Ribâ (usury) will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitân (Satan) leading him to insanity.﴿ **?**

A: It is impermissible to sell gold for gold or silver for silver unless they are of the same weight and the sale is done in a hand to hand exchange whether the two returns are in golden jewelry, money, or one of them is jewelry and the other is money. The foregoing also applies whether the two returns are in banknotes or one of them is so and the other is jewelry or money.

However, in case one of the two returns is in gold jewelry or gold money and the other is in silver jewelry or silver money; weight difference between the two returns is permissible but hand to hand exchange in the same sitting as the contract is made is conditioned. Whatever contradicts what is mentioned above concerning this issue is Riba whose perpetrator is meant by the generality of Allah's saying, ﴾Those who eat Ribâ (usury) will not stand (on the Day of Resurrection) except like the standing of a person beaten by Shaitân (Satan) leading him to insanity.﴿

Q 3: Someone bought gold jewelry from me in which the cost was one thousand

riyals. I told them that it is only permissible that they pay in cash. Then they asked me to lend them one thousand riyals. I did so then they gave me the one thousand riyals in exchange for the gold jewelry. Is this permissible?

A: Doing so is not permissible because it is tantamount to deceptive Riba (usury/interest) and combining between two contracts i.e. a contract of loan and a contract of sale which is forbidden as well.

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Fatwa no. 5446

Q: It happens these days that some women deal in gold jewelry with other women. They buy gold jewelry that equals 10000 in cash for 20000 on a deferred payment. Similarly, some jewelers sell gold jewelry for both men and women. In this way, they take some of the cost of the gold and defer the rest to an unspecified period claiming that this makes things easy for the purchasers. We hope Your Honor will issue a Fatwa on this issue so it may be distributed to jewelers. May Allah guide them to the right!

A: It is not permissible for one to sell gold jewelry on credit whether the deferred payment is all or part of the value, when the value is given from gold or silver whether for a specified or unspecified period. If the sale is concluded in this way, it will be null and void and the transaction will be unlawful. By doing so, one commits one of the major sins, that is Riba (usury). In the first transaction,

by selling gold jewelry that equals 10,000 in cash for 20,000 by deferred payment for one year or more or less than that. They combine Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). **As regards the second transaction,** that is delaying part of the payment, it is Riba Al-Nasi'ah and both types of Riba are unlawful according to the Qur'an, Sunnah (whatever is reported from the Prophet), and Ijma` (consensus of scholars). Allah (Exalted be He) states: ﴾whereas Allâh has permitted trading and forbidden Ribâ (usury).﴿ and: ﴾Allâh will destroy Ribâ (usury) and will give increase for Sadaqât (deeds of charity, alms, etc.) And Allâh likes not the disbelievers, sinners.﴿ and: ﴾O you who believe! Be afraid of Allâh and give up what remains (due to you) from Ribâ (usury) (from now onward), if you are (really) believers.﴿ ﴾And if you do not do it, then take a notice of war from Allâh and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums).﴿ Likewise, it is authentically reported from the Prophet (peace be upon him): ﴾That he cursed the one who accepts Riba (Usury), the one who gives it, those who witness to it, and the one who writes it. He (peace be upon him) said: They are all equal.﴿ It is reported in Sahih Al-Bukhari on the authority of Abu Sa`id Al-Khudry (may Allah be pleased with him) that the Prophet (peace be upon him) stated: ﴾Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these, (gold and silver), do not sell something present for something to be later delivered.﴿ It is also reported in Sahih Al-Bukhari that Abu Al-Minhal said:

I asked Al-Bara' ibn `Azib and Zayd ibn Arqam (may Allah be pleased with them) about money exchanges. Each of them said: He is better than me. Then both of them said: ﴾The Messenger of Allah (peace be upon him) forbade the selling of gold for silver on credit.﴿ May Allah grant all of us

success!

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The first, second and fifth questions of Fatwa no. 5937

Q 1: A jeweler adds a gold production fee to the price of the gold jewelry he sells. This is done either by selling gold for money and taking his fee above the cost of gold, or by exchanging gold for gold and taking the value of the gold jewelry in addition to the production fee including his profit. What is the ruling on this jeweler?

A 1: There is no harm in adding a production fee to the value of the gold jewels as long as gold is exchanged for something other than gold, money for example. However, if gold jewels are exchanged for gold jewels, it is not permissible for the jeweler to take a production fee according to the Hadith that is authentically reported by Al-Bukhari and Muslim on the authroity of Abu Sa`id Al-Khudry (may Allah be pleased with him) that the Prophet (peace be upon him) stated: (Do not sell gold for gold, except like for like, and do not increase one part over another part; and do not sell silver for silver except like for like, and do not increase one part over another part, and of these, (gold and silver), do not sell something present for something to be later delivered.)

Q 2: A Jeweler sells used gold jewelry as new ones (not worn before).

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He does this according to an agreement between him and the purchaser which may be pronounced or implicitly understood. The jeweler thus sells used jewels at the price of new ones. In this case, the stamp cost is added to the price, while it should only be charged on new gold jewelry. (The state imposes the stamp cost on jewelers for putting a trademark on gold to confirm that it is 21-carat gold or 18-carat gold. Then the jewelers collect it from purchasers, so jewelers should charge it only on new gold jewelry).

A 2: It is not permissible for the jeweler to sell used gold jewelry as new jewelry as this is cheating, deception and lying. Allah (Exalted be He) states: (O you who believe! Be afraid of Allâh, and be with those who are true (in words and deeds).) It is authentically reported that the Prophet (peace be upon him) stated: (He who deceives is not of us (is not my follower).) Likewise, it is not permissible for the jeweler to add trademark costs to the price of used jewelry, as the purchaser would refuse to pay it if he knew that the gold jewelry is used .

Q 5: Is one who sells men's gold rings committing a sin by doing so, and is the money earned from this sale unlawful?

A5: There is no harm in selling gold and silver rings for men. However, if you know that the man will wear this gold ring, do not sell it to him as this is a form of cooperation with him to commit sin and transgression. Also, you should advice him and tell him that gold jewelry is unlawful for men.

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The third question of Fatwa no. 6950

Q 3: Undoubtedly, a wise Muslim is duly concerned about obeying Allah, seeking to attain His pleasure, following His orders and avoiding His prohibitions. Since trading in gold may lead one to fall into major sins, how can a person secure himself from falling into the shortcomings associated with this kind of trade? We pray to Allah that He may guide us all to that which is pleasing and loving to Him.

A: Do the best of your ability to avoid the prohibitions of Allah and to seek lawful earnings through trading in lawful sales. The scope of lawful things is as wide as would help you shun all the prohibitions which incur the displeasure of Allah.

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Fatwa no. 7545

Q: A woman sold her gold at a time when she was in need. Since she did not find someone to buy it,

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she borrowed 10,000 Riyals from another woman with the agreement that the lender takes the gold which she wants to sell (jewels) or sells the gold and takes the amount that is equal to what she paid. The lender took the gold and sold it to another woman and when the lender took the money, she said: Now, I will give you the gold. She went but did not come back. This situation has remained as such for a month and a half and she did not receive the price of the gold which was equal to 10,000 Riyals. The question now is: Was this an act of Riba (Usury) and if it is, who will bear the responsibility; the woman who sold it or the purchaser?

A: If the matter is as you have mentioned, this sale is not permissible because the price of the gold, which is the money in the session, was not received when the contract was concluded. Both the seller and the buyer will bear a part of the sin according to the sin she committed.

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The first, second and third questions of Fatwa no. 7923

Q 1: i sold gold to customers and received payment by cheque from a certain bank. Is it permissible for me to accept this cheque in return for the gold and receive the amount of money written on the cheque upon submitting it to the bank, as I will not get such sum until after a certain period, or is this impermissible as payment should be made in cash hand to hand; although this may not be convenient for many customers.

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A: Cheques are considered cash exchanges as are money orders for the purpose of avoiding difficulty. **Q 2: If a customer wants to buy some gold jewelry and after weighing them, he/she finds that the money they have is insufficient; in this case I am not permitted to sell the gold for that partial amount. However, if it is morning, for example, and purchasers ask me to leave the gold in my possession until the afternoon so that they can bring the total amount to make the purchase. Am I permitted in this case to reserve the gold for them until they return, or should I cancel the contract and start a new one and treat them as new customers?**

A: You should not reserve the gold which they purchase on their account until they bring the rest of the money. This contract is incomplete and would involve Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). The gold should remain with you until purchasers bring all the money, then you can sign a new contract in the same session wherein the exchange is made.

Q 3: If a customer bought gold from me and paid its value, and after a period they wanted to return the gold and get their money back? Is it permissible for me to do this, or should I buy the gold again at the current market price?

A: If the case is as you mentioned, it is permissible for you to give him his money back and to take your gold according to Istiqalah and Iqalah rule (request from the first party to cancel the sale and acceptance to cancel the sale from the other party).

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Fatwa no. 8865

Q: I went to the gold market gold in Jeddah. I had some golden ornaments and I wanted to exchange them for new ones. I gave them to the shopkeeper and told him that I want to exchange these ornaments. He took them and gave me some other kinds to choose from among them. I took one kind and asked him to exchange this gold an equal weight for an equal weight. But I came to know that this man increases three riyals for the price of his new golden ornaments. The weight of my golden ornaments was 170 grams and the weight of his new ornaments was 156 gram. This means that I have to pay one hundred riyals. Therefore, I told him that it is not permissible to do that as it is a kind of Riba (usury/interest). I told him that I will sell you my old ornaments, then I will buy your new ones. He bought my gold in return for 5000 riyals and I bought his new golden ornaments in return for 5100 riyals. The weight of the gold I bought was 156 grams which was less in weight than my sold gold. The man laughed and said that this is the same transaction but in an indirect way. He told me that all the market behave in such a way. They take three riyals for every gram if you want to exchange golden ornaments with other new ones of the same weight. He claimed that this is the right of handcrafting. Is my selling and buying in the manner mentioned above valid?

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2- Is taking goods that weigh more than he gives a kind of Riba? Moreover, he says that this is not a kind of Riba. 3- It seemed to me that if I did not buy from him, he would not buy my gold. What will be the ruling if he does that?

A: If the reality is as you mentioned, then: 1- Selling your gold in return for sliver and buying his gold in return for silver is permissible and it is not a kind of Riba if both of you possesses completely the bought objects at the same time of holding the contract. 2- Taking three riyals in return for every gram because of it being new is not permissible. You have done well in forbidding the evil he wanted to do while you were at his shop. 3- If selling your gold in return for sliver is dependent upon buying his gold in return for sliver, then this transaction will not be permissible. This is because doing so will be similar to holding two transactions in one sale which is forbidden. Therefore, you should not sell him your gold and you have to search for another person who will buy your gold without stipulating that you buy from him.

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The third question of Fatwa no. 9564

Q 3: Is it permissible to buy or sell gold in return for bank checks? It should be noted that the amount transferred is deposited in full at the bank, as the buyer can not carry money with him during the purchase.

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Likewise, the seller can not take it from the buyer while selling a number of (gold) bars, especially as sometimes the amount reaches millions of Riyals, and they fear for their safety and their money while carrying it.

A: There is no harm in this, for the receipt of the check has the same ruling as receiving the price, if the check is approved by the bank.

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The second question of Fatwa no. 11514

Q 2: Is it permissible for a jeweler to put a bracelet around a woman's wrist?

A: It is not permissible for an Ajnabi (man lawful for the woman to marry) to put a bracelet around a woman's wrist or arm, whether he is a jeweler or anyone else.

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Fatwa no. 11053

Q: Is it permissible for me to take used gold from

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my friends and relatives to sell in the gold market on their behalf and try to get them the best prices depending on my experience in this field? Is this prohibited pursuant to the Hadith stating that a city dweller should not sell a commodity on behalf of a desert dweller, to leave everyone profit as Allah wills them to? Similarly, is it permissible to buy on behalf of a friend or relative to get them the best price? All of this I do without a return, only hoping for the Reward of Allah.

A: It is permissible for you to take gold from your friend and sell it on his behalf. This is not the prohibited case of a city dweller selling on behalf of a desert dweller; rather, this is a favor you do to your friend such as advising them, fulfilling their needs, and buying for them.

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Fatwa no. 14660

Q: Once I went to the gold market to sell my wedding ring and buy a smaller one. I went in one of the stores and they offered to pay me 80 riyals for the ring and I agreed. Then, I found the ring that fits me in the same store

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and its price was 70 riyals. The store owner paid me the price of my ring and I paid him 100 riyals to take the price of the new ring and give me back 30 riyals. He did not have the change and asked me to take back my 100 riyals and pay him the exact amount from the money he just gave me for the old ring. I refused as this may be considered Riba (usury) but he denied it since the exchange had already taken place. So I paid him 70 riyals from the price of the one I had sold, after I had taken its price in my possession. I did not have the intention to pay from that money but he did not find enough change to give me. Please, enlighten me! May Allah reward you. Does this transaction involve Riba? What should I do if it involves Riba? May peace and blessings be upon our Prophet Muhammad. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A: Anyone who wishes to trade gold for gold should sell the gold they have and take the price, then they may buy the gold they want from the buyer or any other person with the price they got or any other money. It is authentically reported that the Prophet (peace be upon him) said, ("Gold is to be paid for gold, like for like, silver for silver, like for like...") Then he (peace be upon him) said, ("If these types differ, sell as you wish if payment is made hand to hand.")

Consequently, there is no harm in selling your gold and taking the price and then buying other gold from the buyer, even if you pay from the money the buyer paid you.

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Fatwa no. 16380

Q: Some gold traders agree that one of them sells a gold bracelet, for example, on behalf of the other for a percentage of the price. After the bracelet is sold and its price is paid, the money remains with the seller until the evening, when traders sit and settle their accounts. Anyone who buys anything pays its price and takes his share. Up to this point, there is no harm in this Wakalah (appointment of a legally accountable person to act on behalf of another for a specific permissible) matter. The problem arises when the bracelet owner stipulates on the trader, who sells it on his behalf, to pay him at the end of the day the price in gold after deducing his share. If the price of gold is higher in the evening, the gold is paid according to the morning price, but if the price is less in the evening or is similar to its price in the morning, the price is paid in money, which is the price of the bracelet after deducing the trader's share. Appreciate your guidance and Fatwa, may Allah guide, protect and forgive you.

A: It is not permissible for a gold trader to stipulate on other traders who sell on his behalf to repay in gold when the price of gold goes up, as this falls under selling gold for gold without the exchange taking place on the spot.

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In order to sell gold for gold, both amounts must be equal and the exchange must take place on the spot before both parties leave.

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The first question of Fatwa no. 17471

Q 1: Traders in precious stones and diamonds in Central Africa conduct their trading business as follows: someone provides excavation equipments for workers and undertakes the living costs during the period of excavation. If, during the excavation period, workers happen to find diamonds, that same person buys the diamond from them and they are not allowed to sell it to anyone else. The expenses he undertakes is cut off from the total value of the diamond. Everything is arranged according to a pre-conditioned agreement between the financer and the workers. If no diamond is found, the person will have no right to demand the expenses he undertakes. What is the ruling of the Islamic Shari`ah on such business?

A: This kind of business is prohibited as it involves lending a loan with a conditioned benefit

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and selling at an unknown price. the right thing is that the person should hire the workers for excavation. In case they find diamonds, it will come into his possession and they will not be entitled to any of it. In case no diamond is found, he can demand nothing from them, but they will be entitled to receive their wages.

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The first question of Fatwa no. 18387

Q 1: Some of my relatives bought gold bracelets and after returning home we discovered that they are of a larger size. The following day, I gave them back to the gold trader and asked him to replace them with bracelets of a smaller size. The gold trader took the bracelets, demanded the bill, weighed the bracelets and then gave me bracelets of a smaller size. He also gave me the difference in price. It is worth mentioning that I only intended to replace the gold just as the case with buying clothes or anything else. Your Eminence, is such a transaction considered Riba (usury)? Appreciate your guidance, may Allah reward you.

A: If what you have mentioned is meant to annul the contract and return the unsuitable bracelets then buy bracelets of a smaller size at a lower price, there is nothing wrong in this and it is not considered Riba. On the other hand, if what you have mentioned is meant to replace the first bracelets

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with smaller ones and pay the difference in price, then this is Riba because it is a sort of exchanging gold for gold with additional money taken.

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Permanent Committee for Scholarly Research and Ifta'

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The first question of Fatwa no. 17321

Q 1: What is the ruling on purchasing pure gold on credit as well as purchasing it in cash?

A: the ruling on Riba (usury/interest) is as follows: 1) Al-Fadl (selling an item for another of the same type, on the spot, but in excess) as well as Al-Nasi'ah (conditional excess for delay of payment) are forbidden when dealing in items that are subject to Riba and which are of the same kind and have the same `Illah (effective cause). An example is the prohibition of Al-Fadl and Al-Nasi'ah when selling gold for gold and silver for silver even if one item of gold or silver is of higher quality than the other gold or silver item. 2) It is impermissible to sell gold and silver jewelry for jewelry of the same kind that is of more weight in return for the price of goldsmithing. 3) When dealing in the items that are liable to Riba and which are of different kinds and have the same `Illah, Al-Nasi'ah is forbidden, however Al-Fadl is permitted, such as in selling gold for silver. It is permissible to sell an item for the other in excess provided that the payment is made in the same session where the agreement is conducted and before each party depart.

4) Al-Fadl as well as Al-Nasi'ah are permitted when dealing in items that are subject to Riba and which are of different kinds and `Illah, such as selling gold for wheat and silver for barely. 5) It is impermissible to sell an item which is subject to Riba for another of the same kind along with an item of different kind. One example is selling one Mudd (A standard measure that equals 543 grams) of pressed dates and a Dirham for the same price or for two Mudds and two Dirhams, or selling one dinar and one dirham for one dinar. 6) Each derivative from the same kind is considered to be a separate kind in itself. For instance, the flour obtained from barely is a kind and the bread made from it is regarded as another kind. 7) It is impermissible to sell the items that are subject to Riba except when using the lawful measurement. The equal measurement must be adhered to, so when selling a commodity that can be measured, it should be sold by measure, and when selling one that can be weighed, it should be sold by weight. 8) Parity must be observed when it appears as a condition in the sale, and doubting this parity constitutes Riba Al-Fadl (selling an item for another of the same type, on the spot, but in excess). 9) The forbidden Riba occurs in other items besides the six items that are mentioned in the hadith of the Prophet (peace be upon him) and anything related to Riba items is considered to be usurious.

There are many evidences that support the previous rulings including the hadith related by `Ibadah ibn Al-Samit (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: ﴾Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, each kind for each kind, in hand. If these classes differ, then sell as you wish if payment is made hand to hand.﴿

(Related by Muslim and Ahmad)

Furthermore, it was authentically reported that the Prophet (peace be upon him) stated: ﴾gold is to be paid for gold, weight for weight, silver by silver, weight for weight, barley for barley, measure for

measure, measure for measure.) (Related by Al-Athram and Al-Tahawy) Muslim and others narrated on the authority of Fadalah ibn `Ubayd who said: (On the day of Khaybar I bought a necklace that contained gold and pearls for twelve Dinars. I had its price estimated and I found that it was more than twelve dinars. I told the Prophet (peace be upon him) of this and he said, 'It should not be sold until its price is estimated.') Additionally, Muslim and others narrated on the authority of Jabir (may Allah be pleased with him) that he said: ("The Messenger of Allah (peace be upon him) forbade the sale of a heap of dates, the measure of which is unknown, for a specified measure of dates.")

Accordingly, you should not do what you mentioned in the question. This is because selling gold for gold in excess and on credit involves Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). Whereas selling gold on credit involves Riba Al-Nasi'ah.

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Fatwa no. 19440

Q: We jewelers were offered the convenience of using a machine which they refer to as on the spot sale. This machine is an apparatus through which the customer can transfer the amount of what he bought from his account to ours via phone. The device prints out a receipt confirming that the money was received in our account. What is the ruling on using this machine in the sale of gold?

A: According to what you explain that the machine withdraws the sum of money from the purchaser's account in a certain bank and transfers it to that of the seller, and there are no commissions paid on this process, then the sale in this way falls under the same ruling as that of the exchange being made in the same session as the contract is made. As such, it is permissible to sell gold with paper banknotes and use the "on the spot" machine as the commodity exists as well as paying and receiving the value of jewlery takes place in the same session.

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Fatwa no. 19797

Q: I have some old gold that I took to the jeweler's to make new bracelets for myself. He told me that he will refine it, then make them, and that he will only take the costs of manufacturing, meaning, in return for his effort. Please be aware that the old gold decreases in weight by approximately 2-3 grams

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when it is being refined. Therefore, the new bracelets will be less in weight than the old ones. Please enlighten us in this regard. May Allah reward you!

A: If the jeweler will manufacture your gold upon your request, and take a wage for his work, there is no harm in this. However, if he makes you the jewelry from new gold other than your old gold, and then takes yours in return for his wage, this is impermissible. equivalence must exist in quantity when selling gold for gold, along with mutual exchange at the same session.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Shareholding in Riba-based banks

(Part No. 13; Page No. 506)

Fatwa no. 3134

Q: Kindly give us your Fatwa regarding shareholding in the saudi American Bank, and is this a kind of Riba (usury)? This bank deals in Riba and its financial system is based on usurious dealings, as it came to our knowledge.

A: It is not permissible to hold shares in the Saudi American Bank and other banks that are based on usurious dealings, because this constitutes cooperating with one another in sin and transgression which Allah (May He be Exalted) has forbidden. He states: (but do not help one another in sin and transgression.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 5524

Q: I used to be a shareholder in a company which went bankrupt 25 years ago. The company's sponsors purchased shares of the Riyadh Bank, each share costing 1,000 riyals. Now the price of the share is 30,000 riyals. I am in need of an equal sum of money. Is it permissible for me to take this sum? I would like to add that

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I was kept in the dark about the purchase process of these shares.

A: You are entitled to receive the whole sum and then calculate the interest to give away in charity as it is considered Riba (usury). May Allah give you of His bounty, grant you a better reward and assist you to fulfill your needs. Allah says, ﴿And whosoever fears Allâh and keeps his duty to Him, He will make a way for him to get out (from every difficulty).﴾ ﴿And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allâh, then He will suffice him.﴾

May Allah grant you success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 4512

Q: The Islamic bank has shares for sale. The value of one share is one hundred and ten US dollars. Our understanding is that this bank does not deal in Riba (usury/ interests), that the values of the shares will be used in business ventures that are free of any dealings in Riba, and that profits will be divided among the shareholders. Because we are worried about falling into anything that is prohibited, we hope that you will tell us whether this is allowed or not.

A: It is permissible to buy shares in the banks which do not deal in Riba. Profits earned from shareholdings in the bank and which are the result of dealings that do not involve anything Haram are Halal (Lawful).

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The first question of Fatwa no. 8996

Q 1: What is the ruling on holding shares in companies and banks? Is it permissible for a person subscribing in a company or a bank to sell his own shares after subscription to offices working in shares selling and buying, which are likely to sell them for prices higher than those of subscription? What is the ruling on the interest that the subscriber receives annually on the value of his subscription shares?

A: Subscribing in companies and banks dealing in usurious transactions is impermissible. However, if a subscriber wants to get rid of his Riba-based shares, he may sell them at the market price, then keep his original capital only and should spend the rest on charitable causes. It is not permissible for him to take any of the interest or Riba-based profits of his shares. However, profits of subscribing in a company that does not deal in usurious transactions are Halal (lawful).

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Saving

(Part No. 13; Page No. 510)

Fatwa no. 7146

Q: I hope that Your Eminence will kindly have a look at the regulation organizing the savings fund of the Saudi Electricity United Company in the Middle Region and inform me of Allah's ruling on the issue. May Allah guide you, show you the right way and inspire all of us to be right in saying and doing, for He is All-Hearing and Answering!

A: After examining the Fatwa request as well as the law of the savings fund of the Electricity Company in the Middle Region, the Committee gave the Fatwa that the saving fund deals in a usurious transaction as provided for in Article (9) of the law. In fact, the amount paid by employees for the fund is equal to borrowing an interest-bearing loan.

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Fatwa No. (8161)

Q: I would like to inform you that I am an employee at the Arabian American Oil Company (Aramco) in Dhahran. I would like to participate in the saving system of the company. However, reading a manual of the

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saving's law, I doubted that such a system might be a means to getting ill-gotten money through taking Riba-based interests. That is, the system relies essentially on depositing savings money in usurious bank accounts for a term yielding a definite interest. In fact, many of the company employees were caught in the snare of such a system. Therefore, I would like you to make clear to them the ruling on participating in such a system through a written Fatwa that is to be distributed among employees.

A: participating in the Aramco savings system is Haram (prohibited), because it falls under Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). This is because it defines the rate of interest, which may be anything between five and one hundred percent of the money saved by the Saudi employee, in addition to the special end of service bonus given only to the employees who participate in the savings system, which is not given to other employees who do not save, as detailed in the savings regulations.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 17271

Q: We would like to inform Your Eminence that we are employees at the Saudi Aramco Company in Dhahran and its branches in Riyadh, Jeddah, Yanbu and other cities, which has about 55,000 employees. The company

issued a booklet in both Arabic and English on its Savings Plan in Saudi riyals. Browsing the booklet, we found out that the Savings plan is of two types. The first type consists of three sections: 1- The saved amount, i.e. the amount deducted optionally from the employee's salary ranging from 1% to 10%, as provided for in page 3 of the Plan mentioned above. 2- The company gives the person saving, the saving reward, based on the period the employee spends on duty, ranging from 5% to 100%, as provided for in page 4 of the Plan. 3- The profit of the saved amount and reward which increases according to the increase in time, as provided for in page 6 of the Plan. The second type consists of the earlier two sections, those relating to the saved amount and the reward given by the company for saving, as provided for in the last page of the Plan. This is a brief idea of the two types of saving as provided for in the booklet mentioned above which we have attached to Your Eminence. Since some employees fell into confusion regarding Fatwa no. (8161); on whether it includes both types mentioned above or not, we wish that you would explain the whole matter regarding permissibility or impermissibility in such a manner as to free ourselves from accountability.

A: After examining the Fatwa request, the abovementioned Plan and the Fatwa issued by the Committee no. 8161 and dated 9/3/1405 A.H. which states: participating in the Aramco

Savings Plan is Haram (prohibited), because it falls under Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment). This is because it defines the rate of interest, which may be anything between five and one hundred percent of the money saved by the Saudi employee. This is in addition to the rewards given only to employees saving which are not given to other employees who do not save, as provided for in the saving law." End quote,

the Committee replied that the above-mentioned Fatwa includes both saving types provided for by the Plan. They are both prohibited as they fall under Riba (usury/interest) and its prohibition is provided for in the Qur'an and Sunnah, the two established legislation sources. Actually, encouraging employees to improve job performance and continue working may take place only through rewards deemed permissible by Allah and His Messenger, not through ill-gotten money.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 9150

Q: I would like to ask Your Eminence about saving and how it is estimated. A bonus of 10% is given every year, but it is not added as capital for the following year; rather it is estimated at the end of retirement. For example, if an employee receives a salary of 3000

Saudi riyals, saves 600 riyals per month, and keeps working for five years, then their saving is calculated as follows: 600 × 12 = 7200 riyals; 7200 × 5 = 36000 riyals. The employee is given a bonus of 50%, that is, 36000 × 50 / 100 = 18000 riyals. This sum is added to the money the employee has been saving for five years to be as follows: 36000 + 18000 = 54000 riyals. I read the Fatwa attached to this letter in which Shaykh Ahmad Hasan Muslim, member in Al-Azhar Fatwa Committee, said: "Financial rewards for encouraging saving are permissible regardless of their type." This being the case, what is the difference between bonus and rewards? Is bonus Haram (prohibited) or Halal (lawful)? After reading this Fatwa, some Muslims thought that saving is Halal.

I wish Allah, then Your Eminence would advise and guide me to the straight path. May Allah reward you the best.

A: Saving in the way you mentioned is Haram, because adding 50% to the amount of the money saved during a period of five years is considered a usurious increase.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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Fatwa no. 13171

Q: My father died while he was an employee at Aramco Company. He has

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savings in the company as there was about 10 % deducted from his monthly salary. After his death, the company informed us that this sum of money was the profit of the monthly cuts in his salary: The deducted sum of money amounted to 15,065.49, and the company gave him a bonus for having saved this sum which amounts to 21,5065.49. The profit of the first sum is 222,100.47 whereas the profit of the second sum is 201,504.78, i.e. the profit of the bonus.

The question now is: Are these sums of money Halal (lawful) for us as his heirs, or not? If they are Halal, Praise be to Allah, and if not, what should we do with them? Is it permissible for us to use them, if they are not Halal, to settle the debts of our dead parental uncle who has minor children and with no one to pay these debts on his behalf? Is it also permissible to give his relatives, whom he used to treat kindly but are not legal heirs, or to build a Masjid (Mosque) or spend this money in any charitable venture? Furthermore, there are one million, four hundred Lebanese Liras deposited in the bank; what should be done with its profit? May Allah reward you best!

A: You have the right to take the sums deducted from your father's salary, and that is Halal just like the rest of the estate. the bank interest should be spent in charitable ventures. The same applies to the Liras that take the same ruling as the estate, except for its profit which should be spent in charity, rather than building Masjids.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz

Fatwa no. 13733

Q: We work at an institution in the public sector. We are compelled to subscribe in employees' Saving Fund. Subscription instructions state the following:

1- A monthly 10 % of the employee's salary is deducted.

2- The institution offers a similar 10 % as incentive for employees.

3- The institution invests these deductions in projects and different transactions like:

- Selling and buying shares of other public institutions like hotels, bars, industrial companies which manufacture lawful commodities....etc. The money may also be invested in buying shares of insurance companies or banks.

- Putting deposits in banks at interest rates.

- Selling or buying banknotes and different currencies.

- Purchasing governmental development bonds and usurious loan bonds.

Hereby the institution makes annual profits or incurs losses which are

distributed to employees who contribute in this fund, each according to the amount they pay in the fund's capital. This means that the total savings of an employee is susceptible to increase or decrease according to the profits and losses. A report is issued annually about the fund's account statement which includes shares, profits and losses as shown in schedule (1).

Moreover, each employee is provided with an annual statement which shows their audits as follows:

A- The employee's subscription in the fund until a specified date.

B- The institution's subscription in the fund until a specified date.

C- Profits made and losses incurred as shown in schedule (2).

The profits gained from industrial companies have been separated from the profits gained from the obvious usurious transactions. I would like to add that we do not know about the transactions conducted by these industrial companies and to what extent their transactions are lawful or not. In principle, most industrial shareholding companies deal with usurious banks whether via deposits or loans or other means. In the light of what is mentioned above, we submit the following question to Your Eminence so that we may clear ourselves of any blame: What is the ruling of Shari`ah on these funds?

A: If the reality is as you have mentioned in the question, subscription

in this fund is prohibited as it involves interest-bearing dealings which are prohibited.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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credit cards and borrowing money from banks

Fatwa no. 3675

Q: In the USA, there is a type of contract that is concluded between individuals as a first party, and the company that serves those individuals as the second party. The contract states the following:

A- The company shall issue a card with the number and the name of the participant. A person can use this card in purchasing from stores, restaurants, hotels as well as to buy tickets from airlines and suchlike. The stores from which the card owner buys goods will send the value of these purchases to the company which issued the card in order to pay the amounts that are due on the card owner.

B- At the end of the month, the company which issued the cards sends a bill to the card owner demanding him to pay the due amounts which the company paid to the commercial stores. He should pay these amounts within a month.

C - The holder of the card should pay the due amount of the current month within 15 days from the date of sending the bill. If the person does not pay these amounts within the mentioned period, the company sends the bill to him again with the same value of the due amount plus an extra 10 dollars as delay charges. When the person does not pay after having received the second bill, the company sends a third and final bill demanding that he pays

the due amounts plus an extra amount that equals 2.5 % of the value of the amount as delay charges. In this case, the contract is cancelled and the card is taken away.

D - The term of the contract is only for one year and the owner of the card should pay 30 dollars per year as a subscription charge for issuing the card.

E- The payment and sent bills are in US currency and when a person uses the card outside the USA, the company sends the bill in US currency by converting the value of the due amounts from other currencies to US dollars and the conversion price will be decided on the day of sending the bill; not the price in which the owner of the card used his card to buy from outside the USA. The person shall be asked to pay the due amounts in US dollars with an increase that is equal to 1 % as conversion and exchange charges.

F- It is permissible for every party to cancel the contract at anytime after notifying the other of the cancellation. Could you kindly advise whether or not this contract is

permissible. If it is permissible for a Muslim to participate in this contract, could you explain the nature of the contract or the reason for its permissibility? Is it a contract of agency, guarantee or lease between a person and the company that issues the cards? If it is not permissible, could you explain the reason which nullifies the contract.

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A: If the matter is as you have mentioned, the extra amount which the company takes is a form of Riba (Usury). It is not permissible for it to take this amount because Riba is Haram (prohibited) according to the Qur'an, the Sunnah and consensus. If this contract does not bear interest, then it is a guarantee contract, which is one of the contracts of Irfaq (things which contain lenience of providing utilities to others). If it bears interest when the payment is delayed, then it is not permissible because of what has been stated previously. It is not permissible to pay 30 dollars per year in return for this participation because this is a form of lease in return for a guarantee.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 5832

Q: Some companies issuue cards with a set loan that the borrower can present at any bank and receive the specified loan amount on the card. The bank, in turn, contacts the company which issued the card. This loan is deferred for a certain period mentioned on the card, and if the borrower repays the money before the set period ends, there is no penalty on him. However, if he is late in repaying, he is fined an extra 1%, and some companies give money in return for this service upon delivering the card.

A: If the case is actually as mentioned, that it is agreed upon if the borrower

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repays the loan before the set period he is not fined, and if his payment is delayed he is obliged to pay 1% extra, this is a Riba-based contract involving Riba Al-Fadl (usury of excess); the extra money to be paid, and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment) which is the fine for delay. Similarly, if the company pays money to receive an extra percentage for such service, it is evidently Riba.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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The first question of Fatwa no. 7425

Q 1: There is a a card which facilitates financial transactions in western countries, as it helps a person to do without carrying cash with them. A person can purchase any goods they want with this card, then at the end of each month they receive a bill with the sum of money they have to pay for what they bought using this card, and they pay the full amount without any increase. This process protects one's money from being stolen. But there is a condition for receiving this card. Depending on the terms of the card, one may pay interest charges for every day of delay on the amount that they do not pay within twenty five days. Is it permissible to deal with this card taking into account that a person can avoid dealing with Riba (usury/interest) if they pay the bill during the twenty five days grace period?

A: If the reality is as you have mentioned, then such dealing is not permissible as this contract contains Riba (usury/interest) because you stipulate paying Riba in case of delaying payment.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Fatwa no. 17611

Q: A visa card is spreading amongst people. it is called Samba, issued by the Saudi-American bank, and the value of the golden one is 485 riyal while the silver one is for 245 riyal. Such a value is paid to the bank as a yearly subscription. This card holder is allowed to withdraw whatever sums of money they like (loans) from the branches of the concerned bank. These loans are to be paid back in the same value within a period of time that should not exceed 54 days. However, in case the loan is not paid back within this time limit; the bank gets one riyal and 95 halalas interest on every one hundred riyals. Moreover, the bank gets 3.5 riyals on every one hundred riyals of the cash withdrawal or 45 riyals as a minimum charge

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on every cash withdrawal. Holders of the concerned card are allowed to buy commodities from commercial shops that the bank deals with without paying cash and the value is considered a loan due to the bank. In case a card holder does not pay the bank the value of what they have bought within 54 days, the bank charges them one riyal and 59 halalas for every one hundred riyals of the value of the commodities that they bought. What is the ruling on using such a card and having a yearly subscription with the concerned bank to be eligible to use the card? May Allah safeguard and protect you.

A: Samba visa as described in the question is a new way of the ways of those who deal with Riba (usury/interest) and consuming the properties of people unjustly. Those who deal with such a card indulge in the same sin that dealers with Riba commit and thus their earnings and transactions are as impure as those of the latter. The ruling on using the concerned card is exactly the same as that of the Riba of Jahiliyyah (pre-Islamic time of ignorance) which is declared Haram (prohibited) by the purified Shar` (Islamic law). Riba of Jahiliyyah is that the seller would tell the buyer "You either have to pay the whole price immediately or to increase the value"; this is exactly the way that the concerned card works. Consequently, it is impermissible to issue such a card or to use it.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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Fatwa no. 17289

Q: I would like to direct to Your Honor a question submitted to us by the workers in the air force base at Tabuk. They would like Your Honor to reply to their question as people have discussed this matter before and so that your reply will remove any ambiguity. The question is: What is the ruling on the gold and silver credit cards which banks issue to individuals even if they do not have accounts. Through these cards, a person can get a loan from the bank provided that he pays it off within forty days. If there is any delay, the bank would take a small percentage and it increases whenever payment is delayed. Some people buy more than one card. They get a loan from a bank and before the end of the forty days, they get another loan from another bank to pay off their debt and do not pay the interest. What is your opinion regarding these two matters?

A: these gold or silver credit cards are usurious. It is not permissible to issue or to deal with such cards. This loan involves interest and this Riba (usury/interest) is Haram (prohibited) and a form of cooperation in sin and aggression.

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Fatwa no. 18521

Q: We would like your Eminence to advise us regarding using saudi Payments Network (sPAN). For example, a person buys items from a store that cost 150 riyals, he presents the card to the seller who passes it through a machine and the required money is immediately deducted from the customer's account and is added to the seller's account before the customer leaves the store.

A: If the case is as mentioned, there is no problem in using this card as long as the buyer has a sufficient balance to cover the purchase.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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